 <p>ST. CHARLES SINCE 1834</p>	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:	Recommendation to approve a Zoning Map Amendment, Special Use for PUD Amendment, and PUD Preliminary Plan for Heritage Green (Foxwood Square PUD, 309 S. 6 <sup>th</sup> Ave.)				
	Presenter:	Russell Colby				
<i>Please check appropriate box:</i>						
	Government Operations		Government Services			
X	Planning & Development (2/9/15)		City Council			
Estimated Cost:		Budgeted:	YES		NO	
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
<p>The Foxwood Square PUD is the city block bound by S. 5th, Indiana, S. 6th and Ohio Avenues and is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark. In 2007, the City approved a PUD to permit the property to be developed with 10 two-unit buildings on the perimeter of the site, with the Judd House to be renovated into two condominium units. The site was prepared for development and two of the townhome units were constructed at the northeast corner of the property. These units are now under separate ownership. The Judd House is vacant and no improvements have been made to the structure since the PUD approval.</p> <p>A Concept Plan application proposing to demolish the Judd House was submitted by a developer in late 2013. The feedback received from the City was not favorable, and the developer did not pursue purchase of the site.</p> <p>A different developer and contact purchaser of the Judd House and the remaining vacant lots, Bob Rasmussen, JRD Development Inc. has filed formal application requesting approval to modify the approved plans for the project as follows:</p> <ul style="list-style-type: none"> <li>• Renovate the Judd House for 4 multi-family units (instead of 2)</li> <li>• Construct 3, 3-unit townhome buildings on the remainder of the site for a total of 9 additional townhomes (instead of 4 additional buildings of 2 unit buildings, for a total of 8 additional units).</li> </ul> <p>The proposal necessitates applications for a Zoning Map Amendment, Special Use Application to amend the Foxwood Square PUD, and approval of a new PUD Preliminary Plan.</p> <p><b>Plan Commission Recommendation:</b> On 1/20/15, the Plan Commission held a public hearing and voted 7-0 to recommended approval of the applications, subject to resolution of staff comments prior to City Council action. Revised plans have been submitted to address the staff comments on the site and landscape plans.</p>						
<b>Attachments:</b> <i>(please list)</i>						
Plan Commission Resolution, Historic Preservation Commission Resolution, Staff Report, Applications, Plans, 2007 Foxwood Square PUD site plan and ordinance						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Recommendation to approve a Zoning Map Amendment, Special Use for PUD Amendment, and PUD Preliminary Plan for Heritage Green (Foxwood Square PUD, 309 S. 6th Ave.)						
<i>For office use only:</i>		<i>Agenda Item Number:</i> 3a				

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 1-2015**

**A Resolution Recommending Approval of a Map Amendment from RT-4 Traditional Single and Two Family Residential District to CBD-2 Mixed Use Business District, Special Use to Amend PUD Ordinance 2007-Z-4 and PUD Preliminary Plan for Heritage Green (Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.)**

**Passed by Plan Commission on January 20, 2015**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for Map Amendments, Special Use and PUD Preliminary Plan; and,

WHEREAS, the Plan Commission has reviewed the Map Amendment from RT-4 Traditional Single and Two Family Residential District to CBD-2 Mixed Use Business District, Special Use to Amend PUD Ordinance 2007-Z-4 and PUD Preliminary Plan for Heritage Green; and,

WHEREAS, the Plan Commission finds approval of said Map Amendment, Special Use and PUD Preliminary Plan to be in the best interest of the City of St. Charles based on the following:

**FINDINGS OF FACT FOR MAP AMENDMENT**

**1. The existing uses and zoning of nearby property.**

The Property is bordered by the CBD-2 district to the north and RT-4 to the east, west and south. Property to the north has multi-family and office uses. All other adjoining properties are residential.

**2. The extent to which property values are diminished by the existing zoning restrictions.**

The zoning requested will help the value of the subject property by allowing the 3-unit buildings as they are more cost effective to build. The neighboring properties will benefit by the completion of a now defunct development.

**3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public.**

The inability to renovate the Judd mansion to a 4-unit apartment building as well as create more reasonably priced townhomes currently makes the site a non-viable location for development.

- 4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification.**

The current zoning does not allow for an economically viable development.

- 5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located.**

The development has lied dormant for 7+ years.

- 6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district.**

The community needs nice, reasonably priced residential units close to downtown. The community also needs additional rental units near downtown.

- 7. The consistency of the proposed amendment with the City's Comprehensive Plan.**

The Comprehensive Plan remains residential we are consistent with the use.

- 8. Whether the proposed amendment corrects an error or omission in the Zoning Map.**

N/A

- 9. The extent to which the proposed amendment creates nonconformities.**

The proposed CBD-2 zoning will allow the development to conform.

- 10. The trend of development, if any, in the general area of the property in question.**

The area is constantly being re-developed in many residential ways through tear downs and rehabs of existing structures.

#### FINDINGS OF FACT FOR AMENDMENT TO SPECIAL USE FOR PUD

**The Plan Commission finds the amendment to a Special Use for a PUD is in the public interest, based on the following criteria:**

- i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**

- 1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.**
- 2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.**
- 3. To encourage a harmonious mix of land uses and a variety of housing types and prices.**
- 4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.**
- 5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.**
- 6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.**
- 7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community.**

Numbers 1, 2, 3, 5, 6, 7. This development will be a great example of saving a historical home (the Judd Mansion) while incorporating new townhomes on adjacent parcels. We have increased the parking and green space from the current PUD that is in place. We will be creating different architecture and finishes amongst the buildings. The development will bring new families into our downtown.

- ii. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**
  - A. Conforming to the requirements would inhibit creative design that serves community goals, or**
  - B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**

**Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:**

- 1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.**
- 2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.**
- 3. The PUD will provide superior landscaping, buffering or screening.**
- 4. The buildings within the PUD offer high quality architectural design.**

5. **The PUD provides for energy efficient building and site design.**
6. **The PUD provides for the use of innovative stormwater management techniques.**
7. **The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.**
8. **The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.**
9. **The PUD preserves historic buildings, sites or neighborhoods.**

Item B and numbers 2, 4 and 9. The PUD will create more open space than the current PUD. We will be renovating and saving the historic Judd Mansion. We will be introducing high quality architectural designs to the neighborhood.

iii. **The proposed PUD conforms with the standards applicable to Special uses (section 17.04.330.C.0):**

A. **Public Convenience: The Special Use will serve the public convenience at the proposed location.**

Creating for rent and for sale homes near town will benefit out town.

B. **Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

The infrastructure is currently in place and is sufficient.

C. **Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

The proposed development will bring new homes into the neighbourhood and will in turn help reflect the increased values in this are as redevelopment continues.

D. **Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The special use will have no impact on the long term development in the area.

- E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

There will be no effect on the safety or comfort of the neighboring properties.

- F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.**

The development will conform to all current codes.

- iv. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.**

The development will create more homes and thus bring new families to our town. This will increase tax base and the economic well-being of the city.

- v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.**

The Comprehensive Plan indicates the city's desire to keep this area residential as does the proposed PUD.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of a Map Amendment from RT-4 Traditional Single and Two Family Residential District to CBD-2 Mixed Use Business District, Special Use to Amend PUD Ordinance 2007-Z-4 and PUD Preliminary Plan for Heritage Green (Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.), subject to resolution of all staff comments prior to City Council action.

Roll Call Vote:

Ayes: Wallace, Gaugel, Doyle, Pretz, Kessler, Amatangelo, Purdy

Nays:

Absent: Holderfield, Schuetz

Motion Carried: 7-0

PASSED, this 20th day of January 2015.

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Chairman  
St. Charles Plan Commission

**City of St. Charles, Illinois**

**Historic Preservation Commission Resolution No. 1-2015**

**A Resolution Recommending Approval of  
Zoning Map Amendment, Special Use for PUD Amendment, and PUD  
Preliminary Plan for Heritage Green (Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.)**

WHEREAS, it is the responsibility of the St. Charles Historic Preservation Commission to review applications for Zoning Map Amendment, Special Use for PUD Amendment, and PUD Preliminary Plan for property located within a Historic District or Landmark site and to make recommendations to the Plan Commission and City Council regarding the potential impact of the application on the historic resources of the City, particularly with regard to designated landmarks and historic districts directly affected; and

WHEREAS, the Historic Preservation Commission has reviewed the applications for Zoning Map Amendment, Special Use for PUD Amendment, and PUD Preliminary Plan for Heritage Green (Foxwood Square PUD, 309 S. 6<sup>th</sup> Ave.).

NOW THEREFORE, be it resolved by the St. Charles Historic Preservation Commission to recommend to the Plan Commission and City Council approval of the Zoning Map Amendment, Special Use for PUD Amendment, and PUD Preliminary Plan for Heritage Green.

**Roll Call Vote:**

Ayes: Bobowiec, Malay, Gibson, Pretz, Norris, Withey

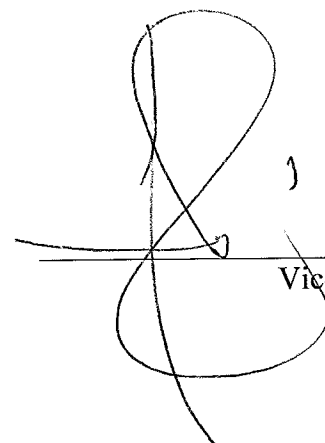
Nays: None

Abstain: None

Absent: Smunt

Motion Carried.

**PASSED**, this 7th day of January, 2015.



Vice Chairman

Community & Economic Development  
 Planning Division

Phone: (630) 377-4443  
 Fax: (630) 377-4062



ST. CHARLES  
 SINCE 1834

**STAFF MEMO**

**TO:** Chairman Dan Stellato  
 And Members of the Planning & Development Committee

**FROM:** Russell Colby  
 Planning Division Manager

**RE:** Heritage Green (Foxwood Square PUD – 309 S. 6<sup>th</sup> Ave.)

**DATE:** February 6, 2015

**I. APPLICATION INFORMATION:**

**Project Name:** Heritage Green (Foxwood Square PUD - 309 S. 6<sup>th</sup> Ave.)  
**Applicant:** Bob Rasmussen, JRD Development Inc.  
**Purpose:** Modify approved plans to create 4 residential units in Raymond Judd House; construct 3, 3 unit townhome buildings on remaining undeveloped property

<b>General Information:</b>		
<b>Site Information</b>		
Location	309 S. 6 <sup>th</sup> Ave. (Block bound by Rt. 25/5 <sup>th</sup> , 6 <sup>th</sup> , Indiana & Ohio Aves.)	
Acres	40,250 square feet (0.92 acres) – Total PUD 35,424 square feet (0.88 acres) – Proposed site	
Applications:	Zoning Map Amendment (RT-4 to CBD-2) Special Use (Amendment to PUD) PUD Preliminary Plan	
Applicable City Code Sections	Foxwood Square PUD Ord. 2007-Z-4, Landmark Ord. 2000-Z-16 Title 17, Chapter 17.12 - Residential Districts; Chapter 17.14 “Business & Mixed Use Districts”; Chapter 17.32 “Historic Preservation”	
<b>Existing Conditions</b>		
Land Use	Existing Judd House and vacant development site	
Zoning	RT-4 Traditional Single & Two-Family Residential	
<b>Zoning Summary</b>		
North	CBD-2 Mixed Use Business	Heritage Square
East	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
South	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
West	RT-4 Trad. Single & Two Family Res.	1 to 2 unit residential houses
<b>Comprehensive Plan Designation</b>		
Single Family Attached Residential		



## II. OVERVIEW

### A. PROPERTY HISTORY/BACKGROUND

The Foxwood Square PUD is the city block bound by S. 5th, Indiana, S. 6th and Ohio Avenues and is the location of the Raymond Judd House, 309 S. 6th Ave., a City designated Historic Landmark.

The subject property was originally developed as a single-family house around 1900 and the house and yard occupied the entire block. From 1940 to 1970, the house was used as a home for the elderly called the Valley Rest Home. It was later used again as a single-family house into the early 2000s.

In 2000, the property was designated as a Historic Landmark by the City. The house was given the name “The Raymond Judd House” (or Judd Mansion) for the owner that lived in the house from 1902 to 1931, who was a significant cattle dealer during this time period. (The house is sometimes referred to as the “Haviland House” for the builder, F.P. Haviland.) In addition to its prominent size and location, the building was granted Historic Landmark designation for being the only true example of Mission architecture in St. Charles.

In 2002-2003, the property was purchased by the Riverside Community Church. The City approved a Planned Unit Development (PUD) for the property to allow the building to be expanded to the west into a larger church building, with some additional parking to be added on the site. The church occupied the building for a period of time but ultimately decided not to construct the addition and instead moved to a different location.

In 2006-2007, the property was purchased by North Face Builders, Inc., the original developer of the project that was named Foxwood Square. The City approved amending the existing PUD in 2007 to permit the property to be developed with 10 two-unit buildings on the perimeter of the site, with the Judd House to be renovated into two condominium units.

The developer prepared the site for construction in 2007, including removing the mature trees from the site, installing utilities for the townhome buildings and grading the entire property. Two of the townhome units were constructed at the northeast corner of the property.

No renovations were completed on the Judd House itself and the building has remained vacant since it was last occupied by the church prior to 2007. The remaining development sites and the Judd House have been bank-owned and marketed for sale since 2010. The two existing townhomes are under separate ownership.

### B. CONCEPT PLAN (2013)

In December 2013, SGC Builders, represented by Gary and Michael Ciampi of Michael Vincent Homes, filed a Concept Plan application requesting to have the Judd House demolished and for the townhome development to be completed with 13 additional units (increasing the total number of residential units approved for the site from 12 to 15). Feedback from the Historic Preservation Commission, Plan Commission and Planning & Development Committee on the proposal to demolish the Judd House was not favorable, and therefore SGC Builders did not proceed with purchasing the property.

### C. CURRENT PROPOSAL

A different developer and contact purchaser of the Judd House and remaining vacant lots, Bob Rasmussen, JRD Development Inc., has filed formal applications requesting approval to modify the approved plans for the project as follows:

- Renovate the Judd House for 4 multi-family units (instead of 2)
- Construct 3, 3-unit townhome buildings on the remainder of the site for a total of 9 additional townhomes (instead of 4 additional buildings of 2 unit buildings, for a total of 8 additional units).

The proposal necessitates the following Zoning Applications:

1. **Zoning Map Amendment** (rezoning) to a zoning district that permits multiple-family residential use and townhomes. The current RT-4 zoning only permits single or two-family structures. The adjacent CBD-2 zoning district, located immediately to the north, permits both multiple-family dwellings and townhomes.
2. **Special Use Application** to amend the Foxwood Square PUD Ordinance #2007-Z-4 to reflect changes to the PUD development standards for the project (unit count, building height, setbacks, building coverage, etc.)
3. **PUD Preliminary Plan** application requesting approval of the revised site, engineering, landscape and building architectural plans.

## III. ANALYSIS

### A. COMPREHENSIVE PLAN

The 2013 Comprehensive Plan Land Use Map identifies the site as “Attached Single Family”:

*“Single family attached structures are connected horizontally, typically two stories in height. Single-family attached homes can serve as transitional areas between Single-family neighborhoods and commercial or multi-family development, and also act as an intermediate step for residential between apartment/condo living and home ownership. These types of units are popular for empty nesters and others looking to downsize to a smaller home.”*

The Residential Areas Framework Plan provides Land Use Policies on p. 43. A number of the policies would be applicable to this project, including:

- ***Preserve the character of the City’s existing single family residential neighborhoods:*** *The City’s residential areas are composed of a number of unique and distinct neighborhoods. While they may differ in configuration, unit type, and lot size, these neighborhoods are well established and have their own character. Development and reinvestment within these neighborhoods should be context sensitive, and compatible with the established neighborhood character and fabric. Regardless of the location or housing type, residential development or redevelopment should be carefully regulated to ensure compatibility with the scale and character of surrounding and adjacent residential neighborhoods. New infill development, teardown redevelopment, and alterations to existing development should maintain a setback, height, bulk, and orientation similar to its surroundings.*

- ***Transition densities to maximize compatibility:*** *As St. Charles approaches its full build-out, its new growth and investment will shift from new development in outlying areas to redevelopment of infill sites, and many of the available infill parcels are situated between established residential areas and the City’s busy commercial districts. This shift will create new challenges and obstacles for development not associated with easier “green-field” development, including: adaptive reuse, fixed/smaller parcel sizes, greater neighborhood sensitivity, and increased density/intensity. A recommended strategy for improved compatibility is place similar density and lot sizes adjacent to existing residential areas and then to transition to high residential densities moving closer to commercial areas and busy streets. This approach assists with compatibility of adjacent use areas and provides additional density to serve as a transitional land use.*

Other relevant Comprehensive Plan Recommendations:

- ***P. 122, Development Character and Urban Design:*** *New neighborhood development or local infill should respect the surrounding context in the design of street networks, infrastructure, housing stock, and other built elements. Infill development should strive to reflect the context in terms of site design, massing and scale, and architectural design...*

## B. HISTORIC PRESERVATION COMMISSION REVIEW

The subject property is a designated Historic Landmark. For properties in a Historic District and or a designated Landmark site, and for properties within 250 feet of a Historic District or designated Landmark site, the Zoning Ordinance calls for the Historic Preservation Commission to review zoning applications and comment regarding the potential impact on the historic resources of the City, particularly with regard to designated landmarks and historic districts directly affected.

The Central Historic District is located immediately north of the subject property across Indiana Ave. Another Historic Landmark, the Haviland House, is located immediately east of the site at 314-316 S. 6<sup>th</sup> Ave.

The Historic Preservation Commission reviewed and recommended approval of the zoning applications on 1/7/15. The Commission discussed the following:

- Changes to the exterior of the Judd House:
  - The Commission supports removal of the rounded porch area at the southeast corner of the building.
  - The developer is open to keeping or removing the porte cochere located at the north end of the porch. Removal of the porte cochere will give the Judd House a more balanced appearance from 6<sup>th</sup> Ave., whereas now the buildings appear crowded together. The Commission acknowledged there is value to keeping the porte cochere as part of the history of the building; however, they would allow removal of the porte cochere to improve the aesthetics of the development.
- Proposed townhome buildings:
  - The Commission has previously discussed the need for variation between each of the three proposed buildings. The developer presented that a red tone

brick would be used to complement the Judd House, but that the buildings are designed to appear as separate structures from the Judd House. Each building will have variation in color and trim.

- The Commission was satisfied with the architectural elevations and the developer's proposal for variation between the buildings.

A Historic Preservation Certificate of Appropriateness (COA) approval will be required for the building permits to modify the Judd House and construct each townhome building.

### C. ZONING REVIEW:

#### Zoning District and Use Category:

The use definitions of the Zoning Ordinance define the proposed uses as follows:

- The buildings with three townhouses are categorized as *Townhouse Dwellings* (A building with more than two units attached horizontally.)
- The Judd House with 4 residential units would be categorized as a *Multiple-Family Dwelling* (A building with three (3) or more dwelling units not designed as a townhouse, where each dwelling unit is provided an individual entrance to the outdoors or to a common hallway.)

The existing RT-4 Traditional Single and Two Family zoning of the property allows for *Single* and *Two-Family Dwellings* only. The property must be rezoned to permit *Multiple-Family Dwellings* or *Townhouse Dwellings*.

The CBD-2 Mixed Use Business District, which is adjacent to the site north of Indiana Ave. (the Heritage Square development), permits multiple-family and townhouse development that is similar in character to the proposed development plan.

The CBD-2 district, however also permits limited business uses. Through a PUD ordinance, the City would restrict the land use of the subject property to residential uses only.

The purpose statement for the CBD-2 Mixed Use Business District:

*The purpose of the CBD-2 Mixed Use District is to provide for a properly scaled mixed-use transition between single-family residential neighborhoods and the retail core of the CBD-1 Central Business District. The CBD-2 District permits a mix of retail, service, office, and medium-density residential uses within buildings that are of a reduced height and scale than that permitted in the CBD-1 District. However, development in this district is also intended to retain a pedestrian-oriented character, similar to that of the CBD-1 District.*

Zoning and Residential Density of Surrounding Blocks (dwelling units per acre)

- The aerial photo below shows the gross residential density of each block surrounding the subject property.
- The Heritage Square developments to the north and northwest are both mixed use developments which contain buildings with commercial uses in addition to residential units.
- The blocks to the east, south and west are all developed with single-family style residential structures, but some buildings contain more than a single unit.



Development Standards

The Foxwood Square PUD established zoning parameters for the project. The table below compares the existing RT-4 zoning regulations, the 2007 approved PUD regulations, the proposed CBD-2 zoning, and the current PUD proposal.

(“Total PUD” in the table refers to the entire block which is the original PUD area, “Proposal” refers to the subject property, which does not include the two townhome units at the northeast corner of the site that are under separate ownership. )

	<b>RT-4 District (existing zoning)</b>	<b>2007 PUD</b>	<b>CBD-2 District (proposed rezoning)</b>	<b>2015 PUD Proposal</b>
<b>Number of Units Proposed</b>		12		Total PUD: 15 Proposal: 13
<b>Minimum Lot Area Per Unit</b>	3,750 sf	3,340 sf	Townhomes: 3,000 Multi-family: 2,200	Total PUD: 2,667 sf Proposal: 2,724 sf
<b>Density in units per acre</b>	11.6 du/acre	13 du/acre	14.5 du/acre	Total PUD: 16.3 du/acre Proposal: 16 du/acre
<b>Maximum Building Coverage (excludes open porches)</b>	25%	38%	40%	Total PUD: 30.5% Proposal: 27.8%
<b>Maximum Building Height</b>	32 ft. or 2 stories	37.73 ft.	40 ft.	38 ft.
<b>Min. Front Yard (6<sup>th</sup> Ave.)</b>	20 ft.	10 ft.	5 ft.	10 ft. (existing townhomes)
<b>Min. Exterior Sideyard (Ohio &amp; Indiana Ave.)</b>	15 ft.	8 ft.	5 ft.	8 ft.
<b>Min. Rear Yard (along 5<sup>th</sup> Ave.)</b>	30 ft.	8 ft.	20 ft.	12 ft.
<b>Max. number of buildings on a lot (17.22.010.A.1)</b>	1	6	No limit- must meet minimum lot area	5
<b>Off-Street Parking</b>	2 per unit	2 per unit (in garages)	1 per unit	Townhome: 2 per unit in garages  Surface parking, including spaces for multi-family: 12  (Total required per zoning: 13)

#### D. SITE LAYOUT & PARKING

- The site layout is similar to the 2007 PUD plan, with townhome units located around the perimeter of the site, with internal access drives.
- The three unit townhome buildings have roughly the same footprint as the previously approved two-unit buildings.
- The landscape plan shows a site area breakdown of 31.7% building footprints, 33.1% pavement and walks, and 35.2% open space.
  - With the elimination of one building and the enclosed garages for the Judd House units, the total Building Coverage per the Zoning Ordinance definition has dropped from 38% to 30.5 % (excludes open, unenclosed porches).
- The number of onsite parking spaces has increased:
  - The 2007 plan included two garage parking spaces per unit with no additional on-site parking spaces. The proposed plan provides two garage parking spaces per townhome unit, plus 12 parking spaces to be used by the 4 Judd House units and for additional parking for the entire development.
  - The total parking provided is in excess of what is required in the CBD-2 district (13 spaces, at 1 per unit for all residential uses). The CBD-2 requirement assumes there is available public on- or off-street parking in the vicinity of the site. Given the high utilization of on-street parking from nearby properties, including Lincoln School, staff recommends a parking ratio of no less than 2 spaces per unit.
  - At 2 spaces per unit, 4 guest or overflow spaces will be provided.

***Staff Comment:***

- Consideration should be given to extending a sidewalk to the north and south from the Judd House entry sidewalk, directly west of the parking stalls.

#### E. LANDSCAPE PLAN

- A revised landscape plan has been provided since the Plan Commission review.
- Parkway trees were planted around the property at the time of the initial site work.
- Due to the limited size of the parking areas, parking lot screening and internal parking lot landscaping are not required by the Zoning Ordinance.
- The driveways for the existing townhomes are constructed of paver bricks. Asphalt is proposed for all driveways for the new development. (For consistency, paver brick could be used for the drive aisle portion of the new entry driveway in front of the Judd House)

- Building Foundation Landscaping is required for the new townhome buildings:

<b>Building Foundation Landscaping: 17.26.080</b>	<b>Requirement</b>	<b>Shown on Plan</b>
Trees: 2 per 50 ft.	8 per building	3 to 4 adjacent to each new building 9 trees in the internal greenspace
Shrubs: 20 per 50 ft.	80 per building	Meets requirement: 68 to 73 shrubs per building, plus perennials (Vinca Minor)
75% of the front wall to be landscaped	75%	Meets the requirement
50% of remaining walls to be landscaped	50%	Meets the requirement

**Staff Comments:**

- The landscape plan is comparable to the previously approved plan in terms of quantity and quality of plantings.
- Trees have been added within the internal greenspaces in lieu of the narrow spaces around the townhome buildings (between the building and the sidewalk). Trees located in narrow setback areas can become overgrown, eventually requiring removal. The parkway areas, which are a more appropriate location for a shade tree, have been densely planted around the property, which offsets the need for additional building foundation trees.
- A tree can be added at the northeast corner of Building 3 to provide symmetry with the tree at the southeast corner of the existing townhome building.

**F. BUILDING DESIGN**

- The architectural concept is to treat the Judd House as a separate building by using compatible but simpler architectural styles for the townhomes (as opposed to the 2007 plan, which attempted to make the whole development appear more uniform in style). Elimination of the existing rounded porch and porte cochere would help better define the Judd House as a standalone structure and will make the site appear more balanced and less crowded.
- The architectural elevations for the townhome buildings include brick and a combination of cedar and fiber cement siding. The developer plans to use red-tone brick to complement the Judd House. Minor architectural details and colors will vary between each townhome building.
- The building code requires a second egress with access to the ground level to be provided for each of the townhome units. The circular staircase off of the back porch of the units meets the code requirement.



#### G. ENGINEERING REVIEW

- Utilities have been installed based on the 2007 plan and new services will be needed for the additional units.
- Stormwater detention is not required for a residential project of this size. However, a stormwater report will need to be provided comparing the approved vs. proposed impervious surface areas, with calculations of pre and post development runoff.
- The internal access drive is not necessary for Fire Dept. access; however potential use of the access drives by garbage or deliver vehicles should be considered.
- The Judd House will require fire sprinklers. The Fire Dept. connection to the building will need to be located such that it meets the minimum distance requirement to a hydrant. The pathway between the Fire Dept. connection and hydrant needs to be traversable.
- Fire flow for fire suppression is not anticipated to be an issue, however, the City Code requires a fire flow of at least 1,000 gallons per second be met, otherwise fire sprinklers would be required for the townhome units.

#### H. SUBDIVISION PLAT

- A revised Preliminary Plat of Subdivision has been provided to correct building lot lines to match the new site plan.
- An existing Ingress and Egress easements will be modified based on the new access drive layout.
- Previously granted landscape easements should be abrogated, as these areas are now located the common lot.
- A blanket utility easement (exclusive of building footprints) was previously provided.

#### I. INCLUSIONARY HOUSING

The Foxwood Square PUD was approved in 2006, prior to the City adopting the Inclusionary Zoning Ordinance in 2008. As a part of the PUD, the developer agreed to a cash contribution to the City's Housing Trust Fund in the amount of \$69,800. This was paid in its entirety in 2007.

Based on the most recent Affordable Housing Update, the requirement to provide affordable units is set a zero. Therefore, no additional units or fees are required.

#### J. SCHOOL AND PARK FEE-IN-LIEU CONTRIBUTIONS

School and Park Land Cash Fees were paid for the development in 2007. Fees for the additional units being proposed in the Concept Plan would be due at time of the first building permit for the new project. Land-Cash worksheets have been completed and submitted.

#### **IV. PLAN COMMISSION RECOMMENDATION**

On 1/20/15, the Plan Commission conducted a public hearing. The following topics were discussed during the public hearing:

- The amount of parking vs. greenspace and whether parking was appropriate in front of the mansion building. The Commission discussed a preference for locating all surface parking behind the mansion; however, this was not included as a condition of the Plan Commission recommendation.
- Use of different materials vs. the existing and approved development (specifically the use of less masonry on the proposed townhome buildings and use of asphalt paving instead of the paver brick for the driveways)
- Whether the proposal would impair property values
- The proposed density

The Plan Commission recommended approval of the project 7-0, subject to resolution of all staff comments prior to City Council action.

The applicant has revised the plans to address the staff comments relating to the site and landscape plans.

# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984

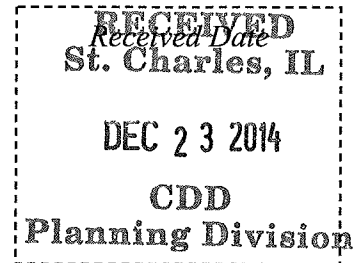


COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## ZONING MAP AMENDMENT APPLICATION

<b>CITYVIEW</b>	
Project Name:	<u>Heritage Green</u>
Project Number:	<u>2014 -PR- 022</u>
Application Number:	<u>2014 -AP- 041</u>



*Instructions:*

*To request a zoning map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a Plan Commission public hearing or meeting date.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Location:	<u>309 So. 6<sup>th</sup> Ave</u>	
	Parcel Number (s):	<u>09-34-208-006, 09-34-208-003, 09-34-208-004</u> <u>09-34-208-007, 09-34-208-009, 09-34-208-008</u>	
	Proposed PUD Name:	<u>Heritage Green</u>	
<b>2. Applicant Information:</b>	Name	<u>Bob Rasmussen</u>	Phone
	Address	<u>JRD Development, Inc.</u>	<u>630-774-9101</u>
		<u>409 IL Ave # 1-D</u>	Fax
		<u>ST. Charles IL 60174</u>	Email
<b>3. Record Owner Information:</b>	Name	<u>Home State Bank of Crystal Llc</u>	Phone
	Address	<u>40 Grant St., Crystal Lake,</u>	Fax
		<u>60014</u>	Email

**Zoning and Use Information:**

Comprehensive Plan Land Use Designation of the property: ~~RT-IV~~ Single Family Attached Residential

Current zoning of the property: RT-IV

Is the property a designated Landmark or in a Historic District? yes

Current use of the property: Residential

Proposed zoning of the property: CBD-II

Proposed use of the property: Residential

If the proposed Map Amendment is approved, what improvements or construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)

4- apartment units in Judd mansion.

3- 3 unit townhome buildings

**Attachment Checklist:**

*If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

**APPLICATION FEE:**

Application fee in accordance with Appendix B of the Zoning Ordinance. (\$500)

**REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

**REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

**PROOF OF OWNERSHIP and DISCLOSURE:**

- a) A current title policy report; or
- b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

**LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper

**PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

**SITE PLAN:**

Simple site plan drawn to scale to demonstrate that the property can meet the requirements of the proposed zoning district (parking requirements, setbacks, landscaping, etc.)

**FINDINGS OF FACT:**

Fill out the attached form or submit responses on a separate sheet.

**LIST OF PROPERTY OWNERS WITHIN 250 FT.**

Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized.

**SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

*Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.*

**ENDANGERED SPECIES REPORT:**

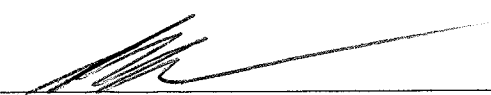
Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnrecocat.state.il.us/ecopublic/>

*Fill out the online form, print the report and submit with this application.*

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

\_\_\_\_\_  
Record Owner

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Applicant or Authorized Agent

12-23-14  
\_\_\_\_\_  
Date

**HOME STATE BANK NA  
611 S Main Street  
PO Box 1738  
Crystal Lake, IL 60039-1738**

John Green 815-788-3451  
[jgreen@homestbk.com](mailto:jgreen@homestbk.com)

December 24, 2014

Russell Colby  
Planning Division Manager  
City of St Charles  
2 East Main Street  
St Charles, IL 60174

**Re: Authorization for Bob Rasmussen or nominee pursuant to the contract  
Between Bob Rasmussen and Home State Bank**

Dear Russell:

This letter confirms that Home State Bank has entered into a contract to sell the vacant lots and building at 309 S 6<sup>th</sup> Avenue to Bob Rasmussen. The sale and closing are contingent upon Bob Rasmussen obtaining certain approvals from the City for modifications to the PUD. We authorize Bob Rasmussen to make the required applications and submittals on behalf of Home State Bank for the purpose of obtaining the necessary approvals from the City.

If you need anything else from Home State Bank, please feel free to contact me.

Sincerely,



John Green  
Director Special Assets Group

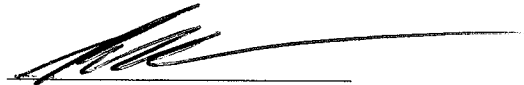
Cc: Jim Coleman  
Bob Rasmussen

**OWNERSHIP DISCLOSURE FORM  
CORPORATION**


STATE OF ILLINOIS    )  
                                  ) SS.  
KANE COUNTY         )

I, Robert Rasmussen, being first duly sworn on oath depose and say that I am the  
Owner of JRD Development, Inc., an  
(Illinois) (                    ) Corporation and that the following persons are all of the shareholders  
of 7% or more of the common stock of said Corporation:

<u>Robert Rasmussen</u>	_____
_____	_____
_____	_____
_____	_____

BY:   
TITLE: Owner

Subscribed and Sworn before me this 23 day of  
December, 20 14.

  
Notary Public



## FINDINGS OF FACT – MAP AMENDMENT

The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the “burden of proof” is on you to show why the proposed zoning is more appropriate than the existing zoning. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the property in question, indicate “not applicable” and explain why it does not apply.



Heritage Green  
Project Name or Address

12-23-17  
Date

### From the Charles Zoning Ordinance, Section 17.04.320.D:

In making its recommendation to grant or deny an application for a Zoning Map Amendment, including changes to Zoning District and Overlay boundaries, the Plan Commission shall consider:

1. The existing uses and zoning of nearby property. (Relate the proposed land use and zoning to the land use and zoning of other properties in the area) *or*

The Property is bordered by CBD-II district to the north and RT-IV to the East, West & South. Property to the North has multi-family and office uses, all other adjoining properties are residential.

2. The extent to which property values are diminished by the existing zoning restrictions. (Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.)

The zoning requested will help the value of the subject property by allowing the 3-unit buildings as they are more cost effective to build. The neighboring properties will benefit by the completion of a new defunct development.

3. The extent to which the reduction of the property's value under the existing zoning restrictions promotes the health, safety, morals or general welfare of the public. (If the existing zoning decreases the value of the subject realty, does it also produce any perceptible public benefits?)

The inability to renovate the Judd mansion to a 4-unit apartment building as well as create more reasonably priced townhomes currently makes the site a non-viable location for development.



4. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property for one or more of the uses permitted under the existing zoning classification. (Can the subject property reasonably be used for any of the uses currently permitted? Physical and market conditions may be considered.)

The current zoning does not allow for an economically viable development.

5. The length of time that the property has been vacant, as presently zoned, considered in the context of the land development in the area where the property is located. (If a property has been vacant longer than other similar properties in the area, it may be an indicator that the existing zoning is inappropriate.)

The development has lied dormant for 7+ years.

6. The evidence, or lack of evidence, of the community's need for the uses permitted under the proposed district. (Development trends, market forces, and the Comprehensive Plan may be considered.)

The community needs nice, reasonably priced residential units close to downtown. The community also needs additional rental units near downtown.

7. The consistency of the proposed amendment with the City's Comprehensive Plan.

The comprehensive plan remains residential we are consistant with the use.

8. Whether the proposed amendment corrects an error or omission in the Zoning Map.

N/A

9. The extent to which the proposed amendment creates nonconformities. *(Generally it is not appropriate to rezone a property unless it can comply with the requirements of the new zoning.)*

The proposed CBD-II zoning will allow the development to conform.

10. The trend of development, if any, in the general area of the property in question. *(New development, redevelopment, changes in use, or other changes in the area may help to justify a change in zoning.)*

The area is constantly being re-developed in many residential ways through tear downs and rehabs of existing structures

Plan Commission recommendation shall be based upon the preponderance of the evidence presented and the Commission shall not be required to find each Finding of Fact in the affirmative to recommend approval of an application for Map Amendment.

# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



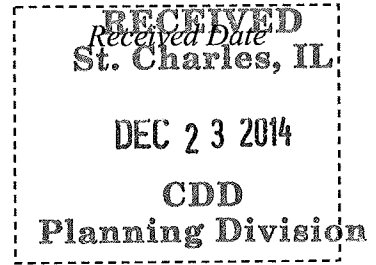
COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## SPECIAL USE APPLICATION

(To request a Special Use or Amendment, or a Special Use for PUD or Amendment)

<b>For City Use</b>	
Project Name:	<u>Heritage Green</u>
Project Number:	<u>2014 -PR- 022</u>
Application Number:	<u>2014 -AP- 042</u>



*To request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property, complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a public hearing date for an application.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>1. Property Information:</b>	Location:	<u>309 So. 6<sup>th</sup> Ave.</u>		
	Parcel Number (s):	<u>09-34-208-006, 09-34-208-003, 09-34-208-004</u> <u>09-34-208-007, 09-34-208-009, 09-34-208-008</u>		
	Proposed Name:	<u>Heritage Green</u>		
<b>2. Applicant Information:</b>	Name	<u>Bob Resmusen</u> <u>JRD Development, Inc</u>	Phone	<u>630-774-9101</u>
	Address	<u>409 IL Ave # 1-D</u> <u>St. Charles, 60174</u>	Fax	
		Email		
<b>3. Record Owner Information:</b>	Name	<u>Hone State Bank of Crystal Lk.</u>	Phone	
	Address	<u>406 Grant St., Crystal Lk.</u> <u>60014</u>	Fax	
		Email		

**Please check the type of application:**

**Special Use for Planned Unit Development - PUD Name:** Heritage Green

New PUD

Amendment to existing PUD- Ordinance #: Foxwood Square 2007-2-4

PUD Preliminary Plan filed concurrently

**Other Special Use (from list in the Zoning Ordinance):** \_\_\_\_\_

Newly established Special Use

Amendment to an existing Special Use Ordinance #: \_\_\_\_\_

**Information Regarding Special Use:**

Comprehensive Plan designation of the property: Single Family Attached Residential

Is the property a designated Landmark or in a Historic District? yes

What is the property's current zoning? RT-IV

What is the property currently used for? Residential

If the proposed Special Use is approved, what improvements or construction are planned?

Renovate the Judd mansion to include 4 rental Apartment  
Build 3 - new 3 unit Townhome buildings

**For Special Use Amendments only:**

Why is the proposed change necessary?

To make developing the parcel economically viable  
and saving the Judd mansion.

What are the proposed amendments? (Attach proposed language if necessary)

See Zoning Table in City Staff Report.

**Note for existing buildings:**

If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

**Attachment Checklist:**

*If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

**❑ APPLICATION FEE:**

Application fee in accordance with Appendix B of the Zoning Ordinance. (Special Use for PUD \$1,000; all other Special Use requests \$750)

**❑ REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

**❑ REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
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**❑ PROOF OF OWNERSHIP and DISCLOSURE:**

- a) A current title policy report; or
- b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

**❑ LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper

**❑ PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

**❑ FINDINGS OF FACT:**

Fill out the attached forms or submit responses on a separate sheet (*Submit "Criteria for PUD" for any PUD application; "Findings for Special Use" for all other Special Use applications.*)

**❑ LIST OF PROPERTY OWNERS WITHIN 250 FT.:**

Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized.

❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

*Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.*

❑ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnr.illinois.gov/EcoPublic/>

*Fill out the online form, print the report and submit with this application.*

❑ **TRAFFIC STUDY:** If requested by the Director of Community Development.

*Staff will advise you whether a traffic study is recommended based on the project. Regardless, the Plan Commission or City Council may request a traffic study as a part of the review process.*

❑ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

**Copies of Plans:**

Initial Submittal - Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

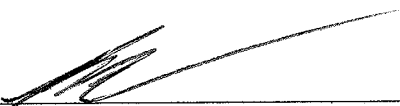
❑ **SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan)**

A plan or plans showing the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line

- 21. Provision of handicapped parking spaces
- 22. Dimensions of handicapped parking spaces
- 23. Depressed ramps available to handicapped parking spaces
- 24. Location, dimensions and elevations of freestanding signs
- 25. Location and elevations of trash enclosures
- 26. Provision for required screening, if applicable
- 27. Exterior lighting plans showing:
  - a. Location, height, intensity and fixture type of all proposed exterior lighting
  - b. Photometric information pertaining to locations of proposed lighting fixtures

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

_____	_____
Record Owner	Date
	12-23-14
_____	_____
Applicant or Authorized Agent	Date

# CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDS)



*\*For Special Use for PUD or PUD Amendment applications.\**

*The St. Charles Zoning Ordinance requires the Plan Commission to consider the criteria listed below in making a recommendation to the City Council on whether a proposed Planned Unit Development is in the public interest.*

*As the applicant, the "burden of proof" is on you to provide information that addresses the criteria below in order to demonstrate that the project is in the public interest.*

*(You may utilize this form or provide the responses on another sheet.)*

Heritage Green  
PUD Name

12-23-14  
Date

## **From the St. Charles Zoning Ordinance, Section 17.04.410.3:**

The Plan Commission shall not favorably recommend, and the City Council shall not approve, a Special Use for a PUD or an amendment to a Special Use for a PUD unless they each make findings of fact based on the application and the evidence presented at the public hearing that the PUD is in the public interest, based on the following criteria:

### **i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:**

1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.
2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
3. To encourage a harmonious mix of land uses and a variety of housing types and prices.
4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.
5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.
6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.
7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community

*This development will be a great example of saving a historical home (the Judd mansion) while incorporating new townhomes on adjacent parcels. We have increased the parking and green space from the current PUD that is in place. We will be creating different architectural and finishes amongst the buildings. The development will bring new families into our downtown.*



aved.

ii. The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:

- A. Conforming to the requirements would inhibit creative design that serves community goals, or
- B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.

Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
3. The PUD will provide superior landscaping, buffering or screening.
4. The buildings within the PUD offer high quality architectural design.
5. The PUD provides for energy efficient building and site design.
6. The PUD provides for the use of innovative stormwater management techniques.
7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
9. The PUD preserves historic buildings, sites or neighborhoods.

The PUD will create more open space than the current PUD.  
we will be renovating and saving the historic Judd mansion  
we will be introducing high quality architectural designs to the neighborhood

iii. The proposed PUD conforms with the standards applicable to Special Uses (section 17.04.330.C.2):

A. Public Convenience: The Special Use will serve the public convenience at the proposed location.

Creating for rent and for sale homes near town will benefit our town.

B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.

The infrastructure is currently in place and is sufficient

C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

The proposed development will bring new homes into the neighborhood and will in turn help reflect the increased values in this area as re-development continues.

D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The special use will have no impact on the long term development in the area

E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

There will be no effect on the safety or comfort of the neighboring properties.

- F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The development will conform to all current codes.

- iv. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.

The development will create more homes and thus bring new families to our town. This will increase tax base and the economic well-being of the city.

- v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The comprehensive plan indicates the cities desire to keep this area residential as does the proposed PUD.

# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## PUD PRELIMINARY PLAN APPLICATION

Received Date  
**RECEIVED**  
St. Charles, IL  
DEC 23 2014  
CDD  
Planning Division

### CITYVIEW

Project Name:

Heritage Green

Project Number:

2014-PR-022

Application Number:

2014-AP-043

### Instructions:

To request approval of a PUD Preliminary Plan, complete this application and submit it with all required plans and attachments to the Planning Division. Normally this application will track with an application for Special Use for a PUD, unless a Special Use for a PUD has previously been granted and no amendment is necessary.

When the application is complete staff will distribute the plans to other City departments for review. When the staff has determined that the plans are ready for Plan Commission review, we will place the PUD Preliminary Plan on a Plan Commission meeting agenda.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

- Property Information:**  
Parcel Number (s): 0934208004  
09-34-208-007 / 09-34-208-009 / 09-34-208-003  
09-34-208-009 / 09-34-208-006  
Proposed Name of PUD: Heritage Green
- Applicant:**  
Name JRD Development, Inc. Phone 630-774-9101  
Address 409 IL Ave #1-D Fax  
ST. Charles, IL 60174 Email
- Record Owner:**  
Name Home State Bank of Crystal Lake Phone  
Address 611 South Main St. P.O. Box 1855 Fax  
Crystal Lake, IL 60039 Email
- Billing:**  
*Who is responsible for paying application fees and reimbursements?*  
Name JRD Development, Inc. Phone 630-774-9101  
Address 409 Illinois Ave #1-D Fax  
ST. Charles, IL 60174 Email

## ***Attachment Checklist***

*Note: The City Staff, Plan Commission, or City Council, may request other pertinent information during the review process.*

- ❑ **APPLICATION:** Completed application form signed by the applicant
- ❑ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- ❑ **REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ❑ **PROOF OF OWNERSHIP and DISCLOSURE:**
  - a) a current title policy report; or
  - b) a deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).
- ❑ **LEGAL DESCRIPTION:** For entire subject property, on 8 ½ x 11 inch paper
- ❑ **PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.
- ❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District.
- ❑ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources.
- ❑ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

**Copies of Plans:**

  - Initial Submittal - Fifteen (15) full size copies, Three (3) 11" by 17", and a PDF electronic file on a CD-ROM.
  - Revision Submittal for Plan Commission - Twenty-Two (22) full size copies, Three (3) 11" by 17" and a PDF electronic file on a CD-ROM.
- ❑ **SITE/ENGINEERING PLAN:**

A plan or plans showing the following information:

  1. Accurate boundary lines with dimensions
  2. Existing and proposed easements: location, width, purpose

3. Streets on and adjacent to the tract: Name and right-of-way width, center line elevation, and culverts
4. Location, size, shape, height, and use of existing and proposed structures
5. Location and description of streets, sidewalks, and fences
6. Surrounding land uses
7. Legal and common description
8. Date, north point, and scale
9. Existing and proposed topography
10. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the proposal indicated
11. Location of utilities
12. Building/use setback lines
13. Location of any significant natural features
14. Location of any 100-year recurrence interval floodplain and floodway boundaries
15. Location and classification of wetland areas as delineated in the National Wetlands Inventory
16. Existing zoning classification of property
17. Existing and proposed land use
18. Area of property in square feet and acres
19. Proposed off-street parking and loading areas
20. Number of parking spaces provided, and number required by ordinance
21. Angle of parking spaces
22. Parking space dimensions and aisle widths
23. Driveway radii at the street curb line
24. Width of driveways at sidewalk and street curb line
25. Provision of handicapped parking spaces
26. Dimensions of handicapped parking spaces
27. Depressed ramps available to handicapped parking spaces
28. Location, dimensions and elevations of freestanding signs
29. Location and elevations of trash enclosures
30. Provision for required screening, if applicable
31. Provision for required public sidewalks
32. Certification of site plan by a registered land surveyor or professional engineer
33. Geometric plan showing all necessary geometric data required for accurate layout of the site
34. Grading plans showing paving design, all storm sewers, and detention/retention facilities including detention/retention calculations) and erosion control measures
35. Utility plans showing all storm sewers, sanitary sewers, watermains, and appropriate appurtenant structures
36. Exterior lighting plans showing:
  - Location, height, intensity and fixture type of all proposed exterior lighting

- Photometric information pertaining to locations of proposed lighting fixtures
- 37. Typical construction details and specifications
- 38. Certification of site engineering plans by a registered professional engineer
- 39. Proof of application for Stormwater Management Permit

□ **SKETCH PLAN FOR LATER PHASES OF PUD:**

For phased PUD's, where a sketch plan is permitted, it shall include, at minimum, the following:

- General location of arterial and collector streets
- Location of any required landscape buffers
- Location of proposed access to the site from public streets
- Maximum number of square feet of floor area for nonresidential development
- Maximum number of dwelling units for residential development
- Open space and storm water management land

□ **ARCHITECTURAL PLANS:**

Architectural plans and data for all principal buildings shall be submitted in sufficient detail to permit an understanding of the exterior appearance and architectural style of the proposed buildings, the number, size and type of dwelling units, the proposed uses of nonresidential and mixed use buildings, total floor area and total building coverage of each building.

□ **TREE PRESERVATION PLAN:**

Tree Preservation Plan when required in accordance with Chapter 8.30 of the St. Charles Municipal Code. The information required for this plan may be included as part of the Landscape Plan set.

□ **LANDSCAPE PLAN:**

Landscape Plan showing the following information:

1. Delineation of the buildings, structures, and paved surfaces situated on the site and/or contemplated to be built thereon
2. Delineation of all areas to be graded and limits of land disturbance, including proposed contours as shown on the Site/Engineering Plan.
3. Accurate property boundary lines
4. Accurate location of proposed structures and other improvements, including paved areas, berms, lights, retention and detention areas, and landscaping
5. Site area proposed to be landscaped in square feet and as a percentage of the total site area
6. Percent of landscaped area provided as per code requirement
7. Dimensions of landscape islands
8. Setbacks of proposed impervious surfaces from property lines, street rights-of-way, and private drives
9. Location and identification of all planting beds and plant materials
10. Planting list including species of all plants, installation size (caliper, height, or spread as appropriate) and quantity of plants by species
11. Landscaping of ground signs and screening of dumpsters and other equipment

**❑ PUBLIC BENEFITS, DEPARTURES FROM CODE:**

A description of how the PUD meets the purposes and requirements set out in Section 17.04.400 of the Zoning Ordinance. Any requests for departures from the requirements of Title 16, "Subdivisions and Land Improvement," and Title 17, "Zoning," shall be listed and reasons for requesting each departure shall be given.

**❑ SCHEDULE:** Construction schedule indicating:

- a. Phases in which the project will be built with emphasis on area, density, use and public facilities, such as open space, to be developed with each phase. Overall design of each phase shall be shown on the plat and through supporting material.
- b. Approximate dates for beginning and completion of each phase.
- c. If different land use types are to be included within the PUD, the schedule must include the mix of uses to be built in each phase.

**❑ INCLUSIONARY HOUSING SUMMARY:** For residential developments, submit information describing how the development will comply with the requirements of Chapter 17.18, Inclusionary Housing, including:

- The number and rental/for sale status of Market-Rate Units and Affordable Units to be constructed including type of dwelling, number of bedrooms per unit, proposed pricing, and construction schedule, including anticipated timing of issuance of building permits and occupancy certificates.
- Documentation and plans regarding locations of Affordable Units and Market-Rate Units, and their exterior appearance, materials, and finishes.
- A description of the marketing plan that the Applicant proposes to utilize and implement to promote the sale or rental of the Affordable Units within the development; and,
- Any proposal to pay fees in lieu of providing the required Affordable Unit, per section 17.18.050.

**❑ SUBDIVISION PRELIMINARY PLAN CHECKLIST:**

If the PUD Preliminary Plan involves the subdivision of land, a completed Subdivision Preliminary Plan Checklist must be submitted. This Subdivision Checklist may reference the same set(s) of plans as the preceding checklists for Site/Engineering, Sketch Plan, Tree Preservation, and Landscape Plans, but the additional information required by the Subdivision Preliminary Plan Checklist must be included, where applicable.

**❑ APPLICATION FOR SPECIAL USE FOR A PUD:**

The application for PUD Preliminary Plan must be accompanied by an application for a Special Use for a PUD, unless the Special Use was previously granted and no amendment is needed. Documentation required for both applications need not be duplicated.

**❑ HISTORIC DESIGNATION:** Is the property a designated Landmark or in a Historic District? \_\_\_\_\_

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

Home State Bank of Crystal Lake  
Record Owner Date

[Signature]  
Applicant or Authorized Agent 12-22-14  
Date



City of St. Charles Land/Cash Worksheet

Dwelling Type/Bedroom Count		# of Units	Park Multiplier	Est. Park Pop.	Elem. School Multiplier	Est. Pop.	Middle School Multiplier	Est. Pop.	High School Multiplier	Est. Pop.
Detached Single Family										
	2 bedroom	0	2.017	0	0.136	0	0.048	0	0.02	0
	3 bedroom	0	2.899	0	0.369	0	0.173	0	0.184	0
	4 bedroom	0	3.764	0	0.53	0	0.298	0	0.36	0
	5 bedroom	0	3.77	0	0.345	0	0.248	0	0.3	0
Attached Single Family (Townhomes)										
	1 bedroom	0	1.193	0	0	0	0	0	0	0
	2 bedroom	0	1.99	0	0.088	0	0.048	0	0.038	0
<b>3 additional 3 BR townhome units</b>	3 bedroom	3	2.392	7.176	0.234	0.702	0.058	0.174	0.059	0.177
	4 bedroom	0	3.145	0	0.322	0	0.154	0	0.173	0
Multi Family (Condo/Apartment)										
	Efficiency	0	1.294	0	0	0	0	0	0	0
	1 bedroom	0	1.758	0	0.002	0	0.001	0	0.001	0
<b>4 apartments in mansion</b>	2 bedroom	4	1.914	7.656	0.086	0.344	0.042	0.168	0.046	0.184
	3 bedroom	0	3.053	0	0.234	0	0.123	0	0.118	0
<b>Deduction from 2007 2 BR attached units (4)</b>				<b>-7.96</b>		<b>-0.352</b>		<b>-0.192</b>		<b>-0.152</b>
<b>Estimated Population</b>		<b>7</b>		<b>6.872</b>		<b>0.694</b>		<b>0.15</b>		<b>0.209</b>
<b>Park Acreage @ 10 acres per 1,000 population</b>				<b>0.06872</b>	<b>acres</b>					
<b>Park Land Dedication</b>				<b>0</b>	<b>acres</b>					
<b>Park Cash in Lieu @ \$240,500 per acre</b>				<b>\$16,527.16</b>						
Elementary School Acreage @ .025 acres per student						0.01735				
Middle School Acreage @ .0389 acres per student								0.005835		
High School Acreage @ .072 acres per student										0.015048
<b>Total School Acreage</b>				<b>0.038233</b>						
<b>Total School Cash in Lieu @ \$240,500 per acre</b>				<b>\$9,195.04</b>						

1 1/2 Mile Jurisdiction Park Cash in Lieu  
 1 1/2 Mile Jurisdiction School Cash in Lieu

**\$12,026.00** (Not for development within City of St. Charles)  
**\$6,690.78** (Not for development within City of St. Charles)

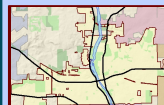


# City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984  
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

## Foxwood Square PUD

RAYMOND ROGINA Mayor  
MARK KOENEN City Administrator



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
North American Datum 1983  
Printed on: November 13, 2013 08:35 AM



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Powered by Precision GIS

# HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079062, IN KANE COUNTY, ILLINOIS.

CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS

WARNING

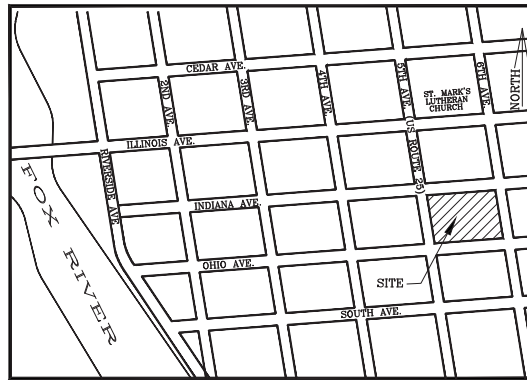


CALL BEFORE  
YOU DIG  
(48 HOURS NOTICE REQUIRED PRIOR TO DIGGING)

## CITY OF ST. CHARLES NOTES

1. ALL PVIOUS AREA SHALL BE SODDED OVER A MINIMUM OF 6" OF TOP SOIL UNLESS OTHER LANDSCAPING METHODS ARE APPROVED ON THE LANDSCAPING PLAN.
2. ALL CONDUIT OR PIPE CONSTRUCTED UNDER EXISTING OR PROPOSED PAVED SURFACES AND WALKS SHALL BE BACKFILLED WITH GRANULAR BACKFILL THOROUGHLY COMPACTED IN ACCORDANCE WITH THE SPECIFICATIONS.
3. ALL PAVING, SIDEWALK, AND EXCAVATION WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) AND THE CITY OF ST. CHARLES STANDARD DETAILS, CODES AND REQUIREMENTS.
4. ALL SEWER AND WATER MAIN WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS AND CITY OF ST. CHARLES CONSTRUCTION STANDARDS.
5. CONTRACTOR TO GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR A PERIOD OF ONE (1) YEAR AFTER ACCEPTANCE BY THE CITY.
6. ALL EXISTING UTILITIES OR IMPROVEMENTS, INCLUDING WALKS, CURBS, PAVEMENT AND PARKWAYS DAMAGED OR REMOVED DURING CONSTRUCTION SHALL BE PROMPTLY RESTORED TO THEIR RESPECTIVE ORIGINAL CONDITION.
7. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES PRIOR TO CONSTRUCTION TO VERIFY IN THE FIELD ALL EXISTING AND UNDERGROUND UTILITIES ADJACENT TO THE PROJECT, AND BE RESPONSIBLE FOR PROTECTION OF SAME.
8. ALL CONCRETE SHALL BE 6 BAG MIX, 3500 PSI CONCRETE AT 14 DAYS. CURING MATERIAL SHALL BE MEMBRANE CURING COMPOUND AND SHALL BE WHITE IN COLOR TO ASSURE ADEQUATE COVERAGE.
9. CONTRACTOR SHALL NOTIFY CITY 48 HOURS IN ADVANCE OF CONSTRUCTION OF UNDERGROUND WORK. NO UNDERGROUND WORK SHALL BE COVERED UNTIL SAME HAS BEEN INSPECTED BY THE CITY. APPROVAL TO PROCEED MUST BE OBTAINED FROM THE CITY PRIOR TO INSTALLING PAVEMENT BASE, PAVEMENT BINDER, PAVEMENT SURFACE, AND PRIOR TO POURING ANY CONCRETE AFTER FORMS HAVE BEEN SET.
10. IF APPLICABLE, ALL NEW REINFORCED CONCRETE PIPE STORM SEWER 12" AND LARGER WHERE SHOWN ON THE PLANS SHALL BE ASTM DESIGNATION C-76 MINIMUM CLASS, CLASS III. ALL PIPE WITH LESS THAN 3" OF COVER AND MORE THAN 15' OF COVER SHALL BE CLASS IV. ALL JOINTS SHALL BE 70° RING RUBBER GASKET CONFORMING TO ASTM C-361 SPECIFICATIONS. ALL STORM SEWERS WITH LESS THAN 1.75' OF COVER AND ALL DUCTILE IRON PIPE STORM SEWERS WHERE SHOWN ON THE PLANS SHALL BE DUCTILE IRON PIPE CLASS 52 ANSI SPECIFICATIONS A-21.51 WITH PUSH-ON OR MECHANICAL JOINTS AND POLYETHYLENE ENCASEMENT.
11. BITUMINOUS PAVEMENT MATERIAL MUST BE PLACED IN TWO LIFTS. THICKNESS OF EACH LIFT SHALL BE AS SHOWN ON APPROVED PLANS. ALL MATERIAL SHALL BE CLASS I BITUMINOUS AS PER IDOT STANDARDS. THE FINAL SURFACE COURSE SHALL NOT BE INSTALLED UNTIL THE CITY HAS APPROVED THE COMPACTION OF THE BINDER MATERIAL. THE BINDER COURSE SHALL NOT BE INSTALLED UNTIL THE COMPACTION OF THE STONE BASE HAS BEEN APPROVED BY THE CITY. THE FINAL SURFACE COURSE MAY NOT BE INSTALLED UNTIL THE MAJOR PORTION OF BUILDING CONSTRUCTION HAS BEEN COMPLETED AS DETERMINED AND APPROVED BY THE CITY.

NOTE: IN CASE OF CONFLICT WITH OTHER NOTES AND SPECIFICATIONS, THE CITY STANDARD NOTES AND DETAILS SHALL APPLY.



LOCATION MAP  
NOT TO SCALE

## SHEET INDEX

TITLE	SHEET NO.
TITLE SHEET.....	1
TOPOGRAPHY & DEMOLITION PLAN.....	2
GEOMETRIC PLAN.....	3
GRADING PLAN.....	4
UTILITY PLAN.....	5
LANDSCAPING PLAN	
PLAT OF SUBDIVISION	

## LEGEND

	PROPOSED STORM SEWER		PROPOSED SPOT GRADE
	EXISTING STORM SEWER		EXISTING SPOT GRADE
	PROPOSED 8" PVC SANITARY SEWER		PROPOSED CONTOUR
	EXISTING 8" SAN. SEWER		EXISTING CONTOUR
	PROPOSED 8" W. WATER MAIN		EXISTING CONTOUR
	EXISTING 8" W. WATER MAIN		SILT FENCE
	PROPOSED SANITARY MANHOLE		OVERFLOW DIRECTION
	EXISTING SANITARY MANHOLE		PROPOSED CURB
	EXISTING STORM STRUCTURE		EXISTING CURB
	PROPOSED FIRE HYDRANT		PROPOSED EDGE OF PAVEMENT
	PROPOSED GATE VALVE		

STATE OF ILLINOIS  
COUNTY OF KANE) SS)

TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

## UNDERGROUND UTILITY NOTE:

The location of existing underground utilities, such as water mains, sewers, gas lines, etc., as shown on the plans, has been determined from the best available information and is given for the convenience of the Contractor. However, the Owner and the Engineer do not assume responsibility in the event that during construction, utilities other than those shown may be encountered, and that the actual location of those which are shown may be different from the location as shown on the plans.

## USE OF DRAWINGS

Client agrees not to use or permit any other person to use plans, drawings, or other product prepared by the Engineer, which plans, drawings, or other work product are not final and which are not signed, and stamped or sealed by the Engineer and contain the words "Released For Construction".

## HOLD HARMLESS STATEMENT

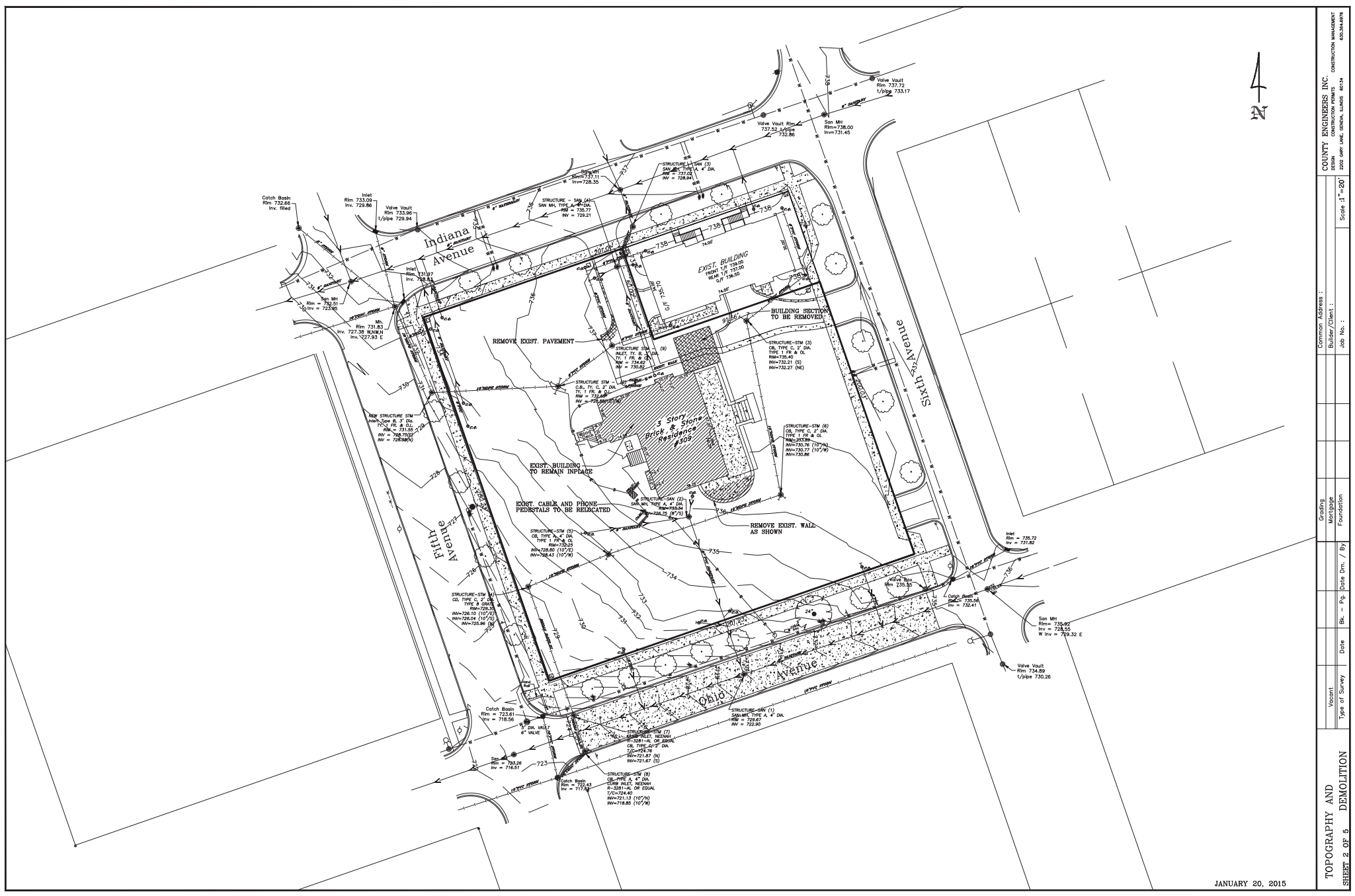
The Engineer is not overseeing the construction of this project. The use of these Drawings and Specifications by and Contractor, Subcontractor, Builders, Mechanics, Tradesmen or Worker shall constitute a Hold Harmless Agreement between the User and the Engineer. The User shall in fact agree to hold the Engineer harmless for any responsibility in regard to construction means, methods, techniques, sequences or procedures and for any safety precautions and programs in connection with the work and further shall hold the Engineer harmless for costs and problems arising from the negligence of Contractor, Subcontractor, Builders, Mechanics, Tradesmen or Workers. The use of these Drawings also implies that the Engineer shall take no responsibility for the plan User's failure to carry out the work in accordance with the Drawing and Specifications.

## COUNTY ENGINEERS INC.

2202 GARY LANE, GENEVA, ILLINOIS 60134  
630.364.6976 ceillinois@aol.com

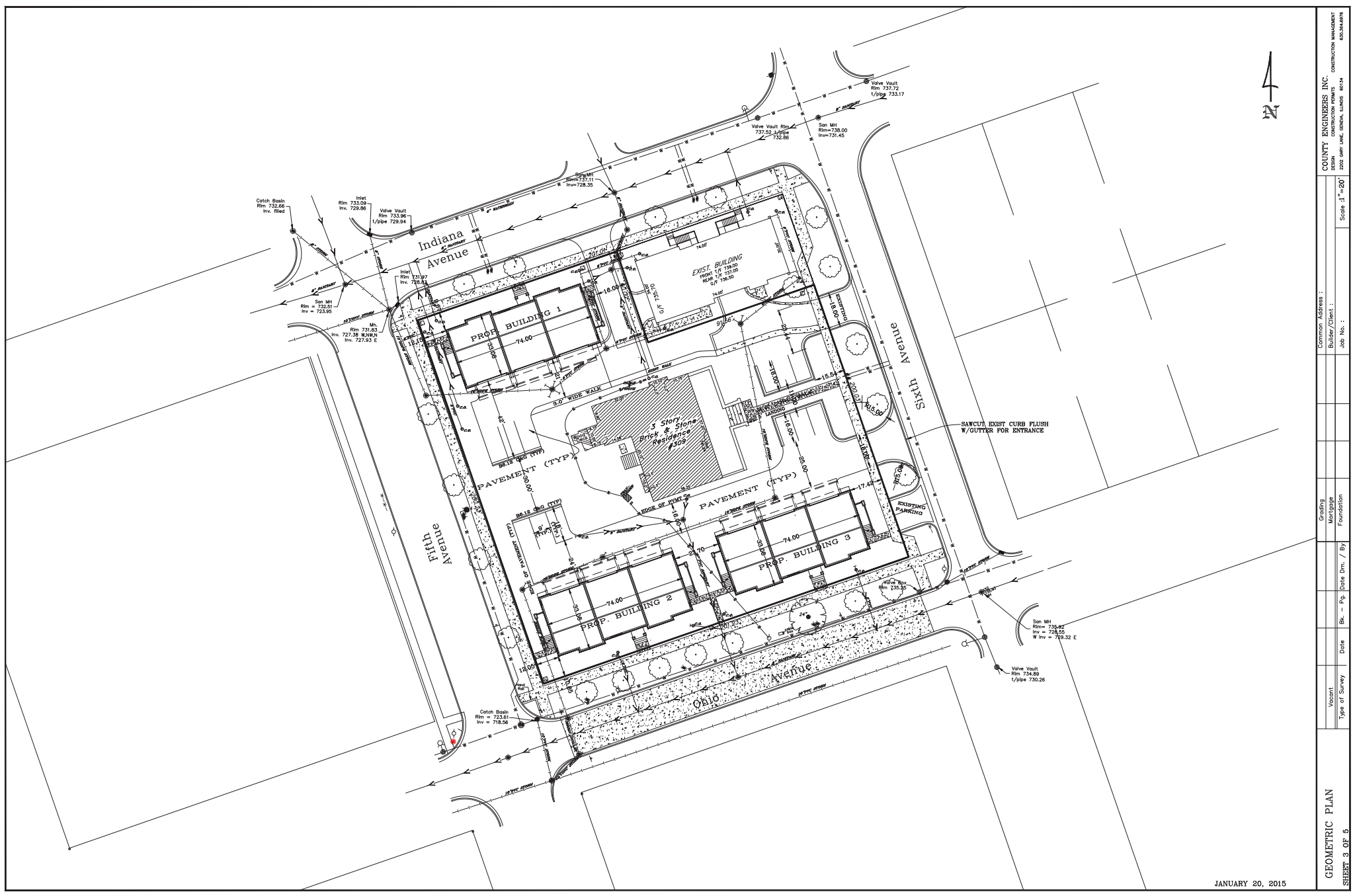


BRANDON JAFARI  
REGISTERED PROFESSIONAL ENGINEER  
RENEWAL DATE: 11/30/15



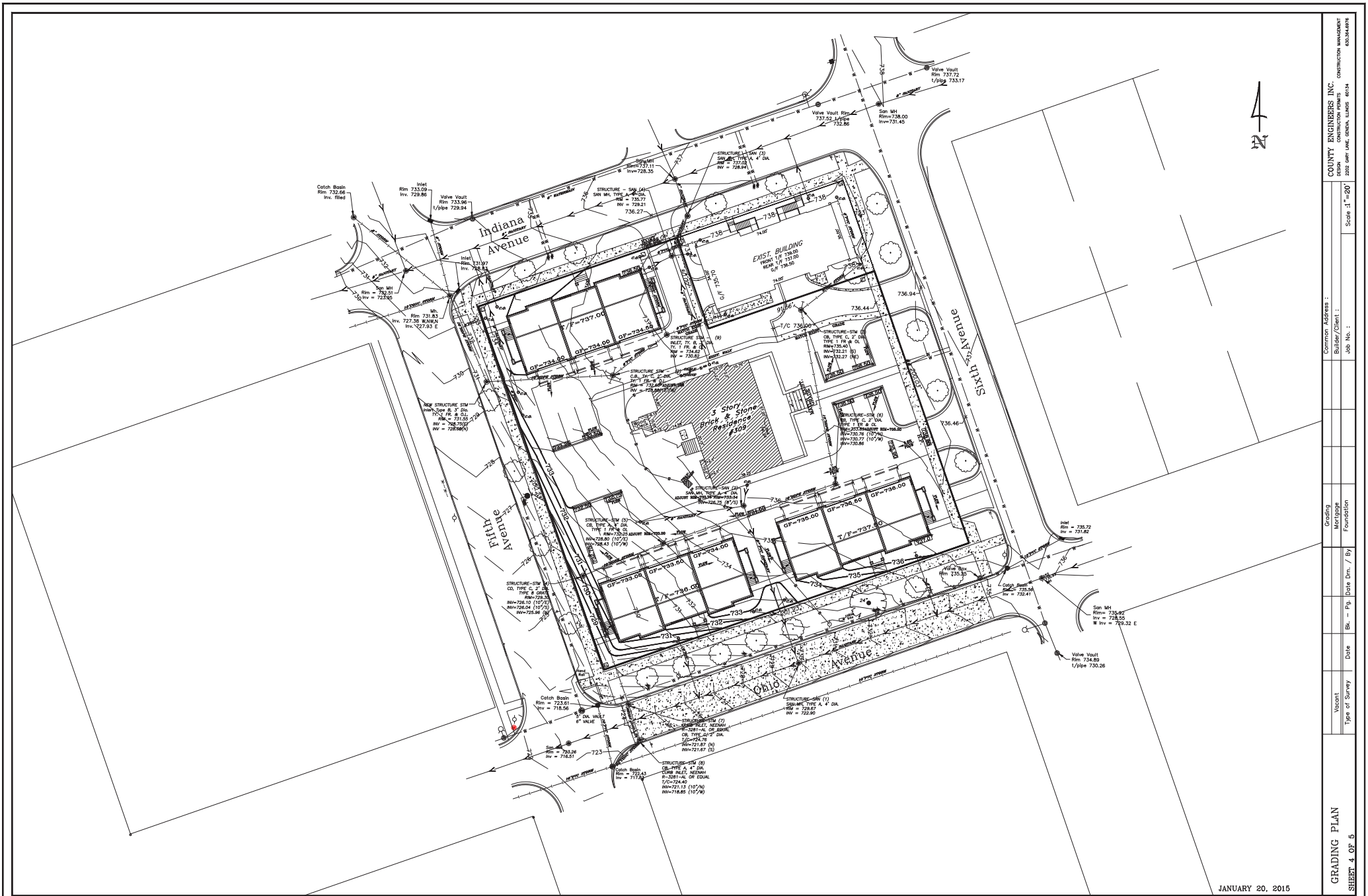
TOPOGRAPHY AND SHEET 2 OF 5 DEMOLITION		Vacant	Date	Bk. - Pg.	Date Dwn. / By	Grading Manpage	Foundation	Common Address : Builder/Client : Job No. :	COUNTY ENGINEERS INC. CONSTRUCTION MANAGEMENT 200 WEST LAKE DRIVE, LANSING, MI 48104 SCALE: 1" = 20'
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JANUARY 20, 2015



COUNTY ENGINEERS INC. <small>CONSTRUCTION MANAGEMENT</small>		2002 WEST LAKE DRIVE, LINDSEY, OHIO 44130	
Common Address:	Builder/Client:	Grading:	Foundation:
		Mortgage:	
		Date Dwn. / By:	
		Bk. - Pg.	Date
Vacant	Type of Survey		
GEOMETRIC PLAN		SHEET 3 OF 5	

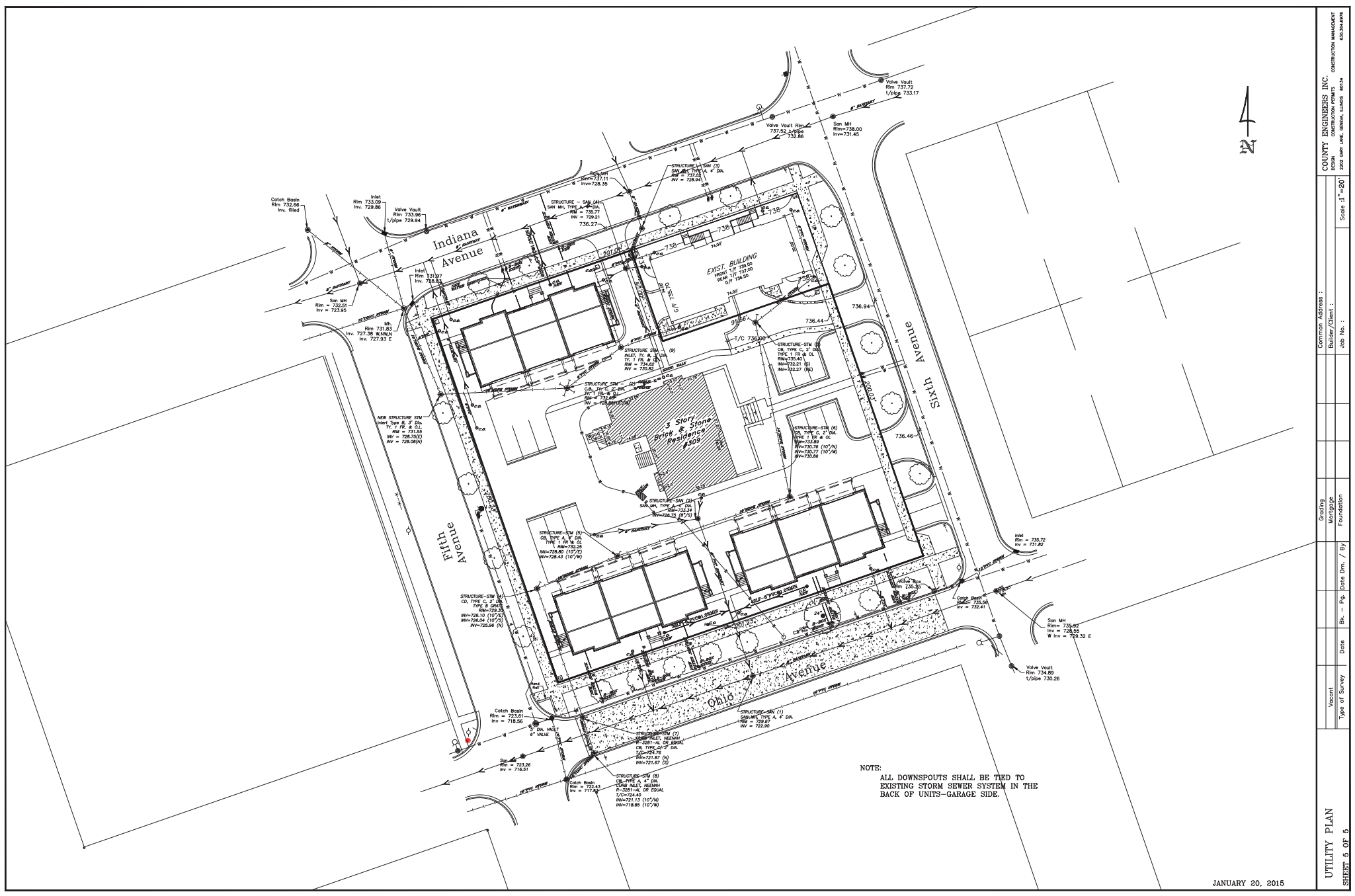
JANUARY 20, 2015



COUNTY ENGINEERS INC. <small>CONSTRUCTION MANAGEMENT</small>		Scale: 1" = 20'	
Common Address: _____		Job No.: _____	
Builder/Client: _____		Foundation: _____	
Grading	Mortgage	Date Dwn. / By	Bk. - Pg.
_____	_____	_____	_____
Vacant	Type of Survey	Date	
_____	_____	_____	

GRADING PLAN  
SHEET 4 OF 5

JANUARY 20, 2015



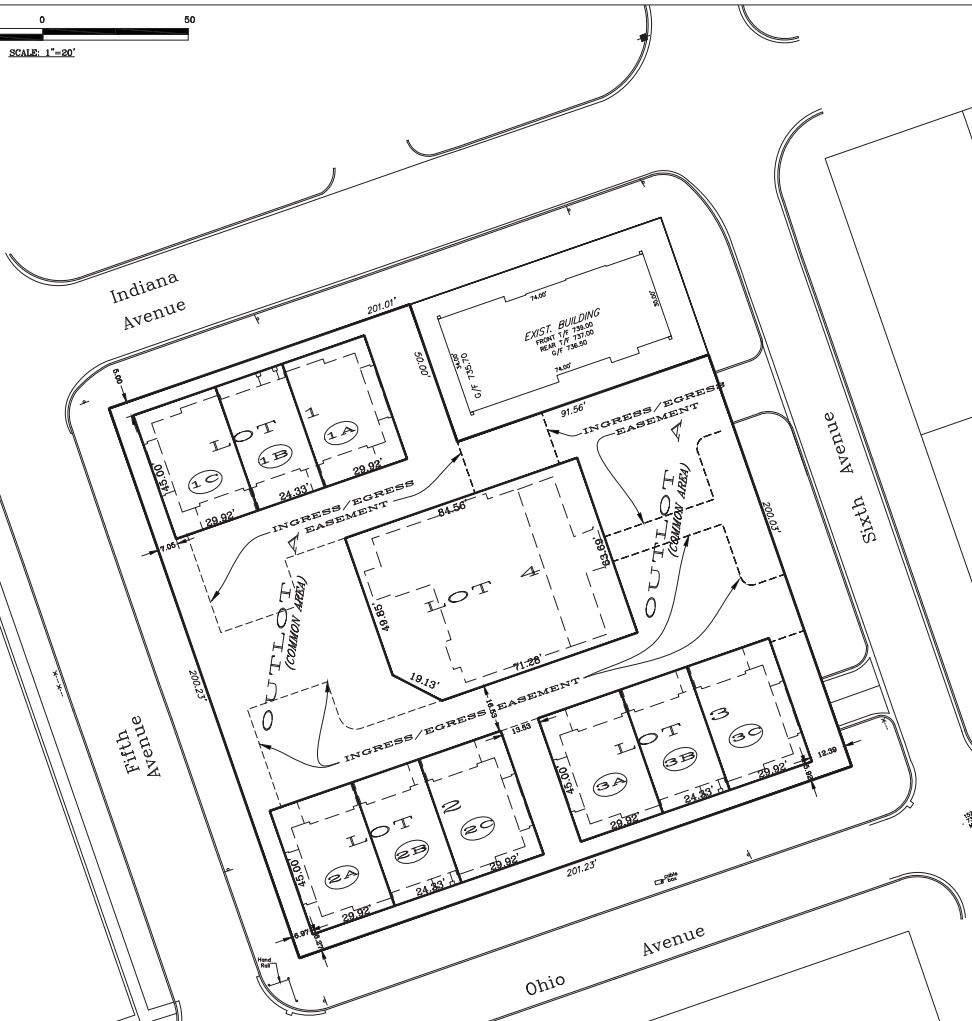
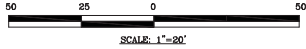
UTILITY PLAN		Date		Blk. - Pg.		Date Dwn. / By		Grading		Common Address :	
SHEET 5 OF 5		Type of Survey		Vacant		Foundation		Mortgage		Builder/Client :	
										COUNTY ENGINEERS INC.	
										CONSTRUCTION MANAGEMENT	
										2002 WEST LAKE, CINCINNATI, OHIO 45219	
										Scale: 1" = 20'	
										Job No. :	

JANUARY 20, 2015

# PLAT OF SUBDIVISION HERITAGE GREEN

PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079062, IN KANE COUNTY, ILLINOIS.

**P.I.N. NUMBERS:**  
 09-34-208-003  
 09-34-208-004  
 09-34-208-006  
 07-34-208-007  
 07-34-208-008  
 07-34-208-009



**DIRECTOR OF COMMUNITY DEVELOPMENT (or Designee)**  
 STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

I, \_\_\_\_\_ do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvements.

Director of Community Development  
 Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

**CITY COUNCIL CERTIFICATE**

Approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 CITY COUNCIL OF CITY OF  
 ST. CHARLES, ILLINOIS

Mayor  
 Attest: City Clerk

**PLAN COMMISSION CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 CITY OF ST. CHARLES PLAN COMMISSION  
 Chairman

**OWNER'S CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 This is to certify that the undersigned is the owner of the land described in the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated thereon, for the use and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

Also, this is to certify that property being subdivided aforesaid, and to the best of the owner's knowledge and belief, said subdivision lies entirely within the limits of:  
 St. Charles Community Unit School District 303.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, AD.

20\_\_\_\_

**NOTARY CERTIFICATE**

STATE OF ILLINOIS ) SS  
 COUNTY OF KANE )  
 \_\_\_\_\_ a notary public, in and for said county, in the state aforesaid, do hereby certify that \_\_\_\_\_ personally known to me to be the same person whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the use and purposes therein set forth.  
 Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_ of \_\_\_\_\_, Illinois.  
 Notary Public

**MORTGAGEE'S CERTIFICATION**

Approved and accepted by \_\_\_\_\_ as Mortgagee.  
 Dated at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 By \_\_\_\_\_  
 Attest: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) ss  
 This is to certify that I, \_\_\_\_\_ Illinois Land Surveyor No. \_\_\_\_\_ have surveyed and subdivided the following described property:  
 PARCEL 1 AND LOTS 2 THROUGH 6 ALL INCLUSIVE IN FOXWOOD SQUARE PLANNED UNIT DEVELOPMENT, IN THE CITY OF SAINT CHARLES, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JULY 30, 2007, AS DOCUMENT NO. 2007K079062, IN KANE COUNTY, ILLINOIS.  
 Given under my hand and seal at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Norbert Lambert, P.L.S.  
 Illinois Registered Land Surveyor  
 NO

**COUNTY CLERK CERTIFICATE**

STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss  
 I, \_\_\_\_\_ County Clerk of Kane County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat.  
 Given under my hand and seal at \_\_\_\_\_, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.  
 County Clerk

**ILLINOIS DEPARTMENT OF TRANSPORTATION**

CITY OF ST. CHARLES ) ss  
 This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to Section 2 of "An Act to revise the law in relation to plats", as amended. A plan that meets the requirements contained in the Department's "Policy on Permits for Access Driveways" will, be required by the Department.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

By: \_\_\_\_\_

**UTILITY EASEMENT PROVISIONS**

A PERMANENT, NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ST. CHARLES (HEREINAFTER "CITY") AND TO ALL PUBLIC UTILITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE AGREEMENT GRANTING THEM EASEMENT RIGHTS FROM THE CITY OF ST. CHARLES, INCLUDING BUT NOT LIMITED TO, SBC, NICOOR GAS COMPANY, COMCAST CABLE AND TO THEIR SUCCESSORS AND ASSIGNS (HEREINAFTER "UTILITIES") IN, UPON, ACROSS, UNDER AND THROUGH ALL LOTS AND PARCELS SHOWN HEREON, FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, INSPECTING, OPERATING, REPAIRING, RENOVATING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING AND MAINTAINING ELECTRICAL, CABLE TELEVISION, COMMUNICATION, GAS, TELEPHONE OR OTHER UTILITY LINES OR APPURTENANCES, SANITARY SEWERS, STORM SEWERS, DRAINAGEWAYS, STORM WATER DETENTION OR RETENTION, WATER MAINS, AND ANY AND ALL MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO RIDGES, VALVES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITY SERVICE TO THE SUBDIVIDED AREA, TO SUCH APPURTENANCES AND ADDITIONS THERETO AS SAID CITY AND UTILITIES MAY DEEM REASONABLY NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK, PROVIDED THAT NO SUCH EASEMENT SHALL EXTEND INTO ANY AREA OTHER NOW OR HEREAFTER IMPROVED WITH A PERMANENT STRUCTURE APPROVED BY THE CITY. FURTHER, ALL SUCH FRANCHISES SHALL BE REQUIRED TO RESTORE THE EASEMENT PREMISES BY PROPERLY GRAZING AND RESTORING THE SURFACE TREATMENT (E.G. PAVING, SOIL, ETC.) TO PRE-EXISTENCE CONDITION IN PROMPT MANNER UPON THE SUBSTANTIAL COMPLETION OF SUCH WORK. THE RIGHT IS ALSO HEREBY GRANTED TO SAID CITY AND UTILITY COMPANIES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS AND OBJECTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SAID UTILITY INSTALLATION, IN, ON, UPON, ACROSS, UNDER OR THROUGH SAID EASEMENT. SAID EASEMENT MAY BE USED FOR PLANTING OF SHRUBS AND LANDSCAPING AND OTHER PURPOSES IN ACCORDANCE WITH FINAL PLAN APPROVAL BY SAID CITY OF ST. CHARLES, AND PROVIDED SUCH PLANTING, LANDSCAPING OR OTHER PURPOSES DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS. WHERE SAID EASEMENT IS USED FOR STORM OR SANITARY SEWERS, OTHER UTILITY INSTALLATIONS SHALL BE SUBJECT TO THE PRIOR APPROVAL OF SAID CITY OF ST. CHARLES, SO AS NOT TO INTERFERE WITH THE GRAVITY FLOW IN SAID SEWER OR SEWERS.

**SPECIAL FLOOD HAZARD AREA CERTIFICATE**

This is to certify that the parcels included in this record of deed [are/are not] located in the Special Flood Hazard Area identified for the [City/Village/County] of \_\_\_\_\_ Illinois by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Parcel No. \_\_\_\_\_, Dated \_\_\_\_\_, 20\_\_\_\_.

Illinois registered Land Surveyor No. \_\_\_\_\_

**COUNTY ENGINEERS INC.**  
 PLANNING, DESIGN, CONSTRUCTION  
 2202 GARY LANE, GENEVA, IL 60134  
 630.364.6876  
 CELLINO@AOL.COM

**LAMBERT & ASSOCIATES**  
 ILLINOIS PROFESSIONAL LAND SURVEYORS  
 955 W. LIBERTY DRIVE  
 HEARDEN, IL 60187  
 630.653.6331  
 IL DESIGN FIRM NO. 184-006511



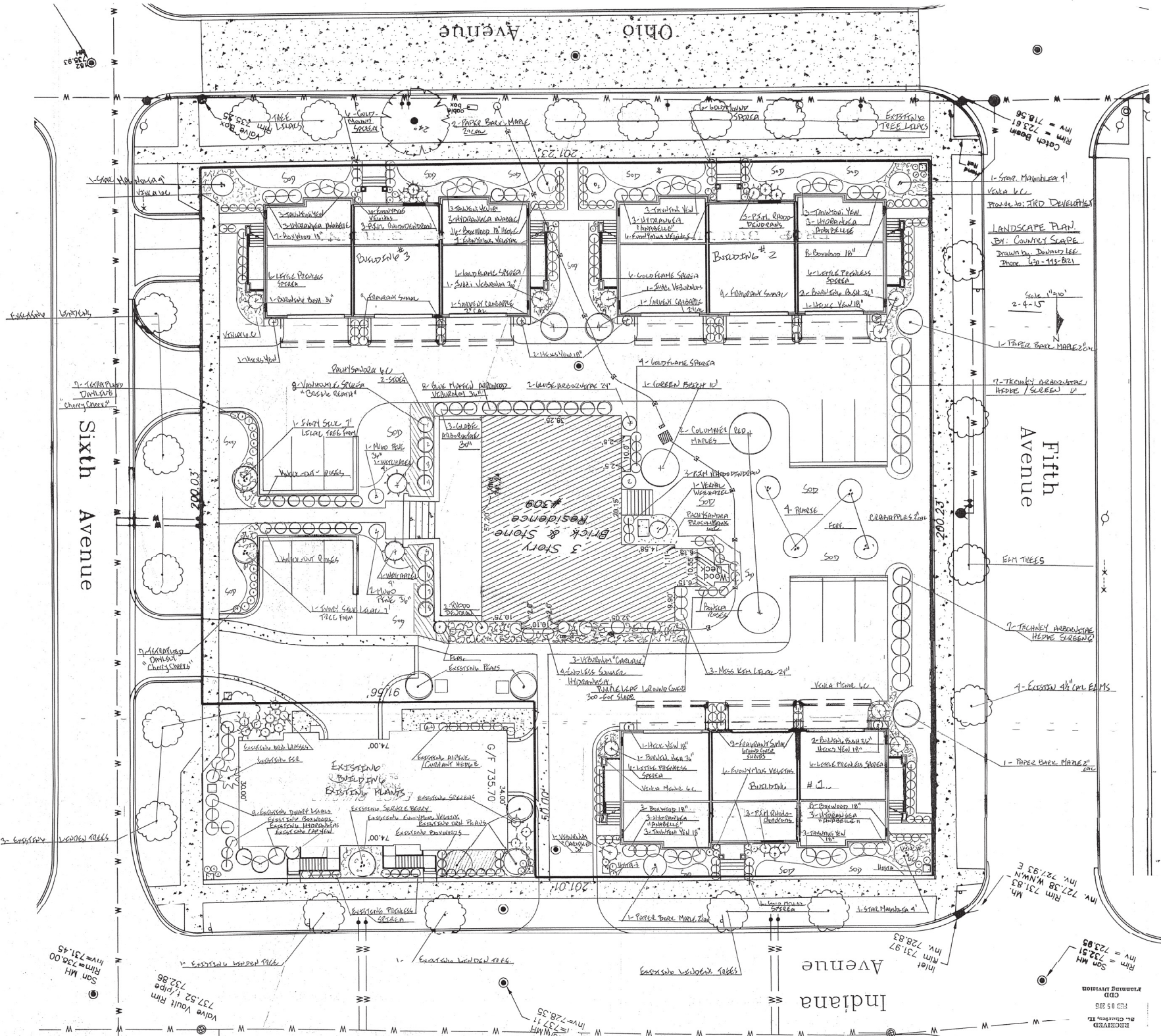


**SITE DATA:**

BUILDINGS (including Exist.).....	11,297 S.F.	31.7%
PAVEMENT AND WALKS.....	11,823 S.F.	33.1%
OPEN SPACE.....	12,553 S.F.	35.2%
<b>TOTAL AREA=</b>	<b>35,673 S.F.</b>	

SCALE: 1"=20'

Common Address :	
Builder/Client :	
Job No. :	NTS
Scale :	NTS
Grading	
Mortgage	
Foundation	
By	
Date	
Vacant	
Type of Survey	



LANDSCAPE PLAN  
 BY: COUNTRY SCAPE  
 DRAWN BY: JENNIFER LEE  
 PHONE: 730-445-821

Scale 1/8" = 1'-0"  
 2-4-15  
 N  
 1- Paper Bark Maple

1- TECHNEY ARBORESCENT HEDGE SCREEN  
 2- TECHNEY ARBORESCENT HEDGE SCREEN

Fifth Avenue

1- EXISTING 48" CRT ELM'S  
 1- PAPER BARK MAPLE

SON MH 731.83  
 RIM 727.38  
 INV. 727.93 E  
 SON MH 731.85  
 RIM 727.97  
 INV. 728.83  
 SON MH 731.45  
 RIM 726.00  
 INV. 731.45  
 VALVE VAULT RIM 737.82 / PIPE 732.86  
 SON MH 731.51  
 RIM 727.51  
 INV. 728.55

RECEIVED  
 BY: CHANG, II  
 PCD 0 2015  
 CDD  
 PLANNING DIVISION

Sixth Avenue

Indiana Avenue

Ohio Avenue



PRELIMINARY END ELEVATION 12.22.14  
 1/8" = 1'-0" MARSHALL ARCHITECTS  
 PROPOSED TOWN HOMES AT "HERITAGE GREEN"  
 (PREVIOUSLY KNOWN AS "FOXWOOD SQUARE P. U. D.")

SHEET \_\_\_\_\_  
 OF: 2



PRELIMINARY STREET SIDE ELEVATION 1-4-15

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

PREVIOUSLY KNOWN AS "FOXWOOD SQUARE P.U.D."

SHEET

2

OF 2



PRELIMINARY REAR ELEVATION 12.28.14

1/8" = 1'-0"

MARSHALL ARCHITECTS

PROPOSED TOWN HOMES AT "HERITAGE GREEN"

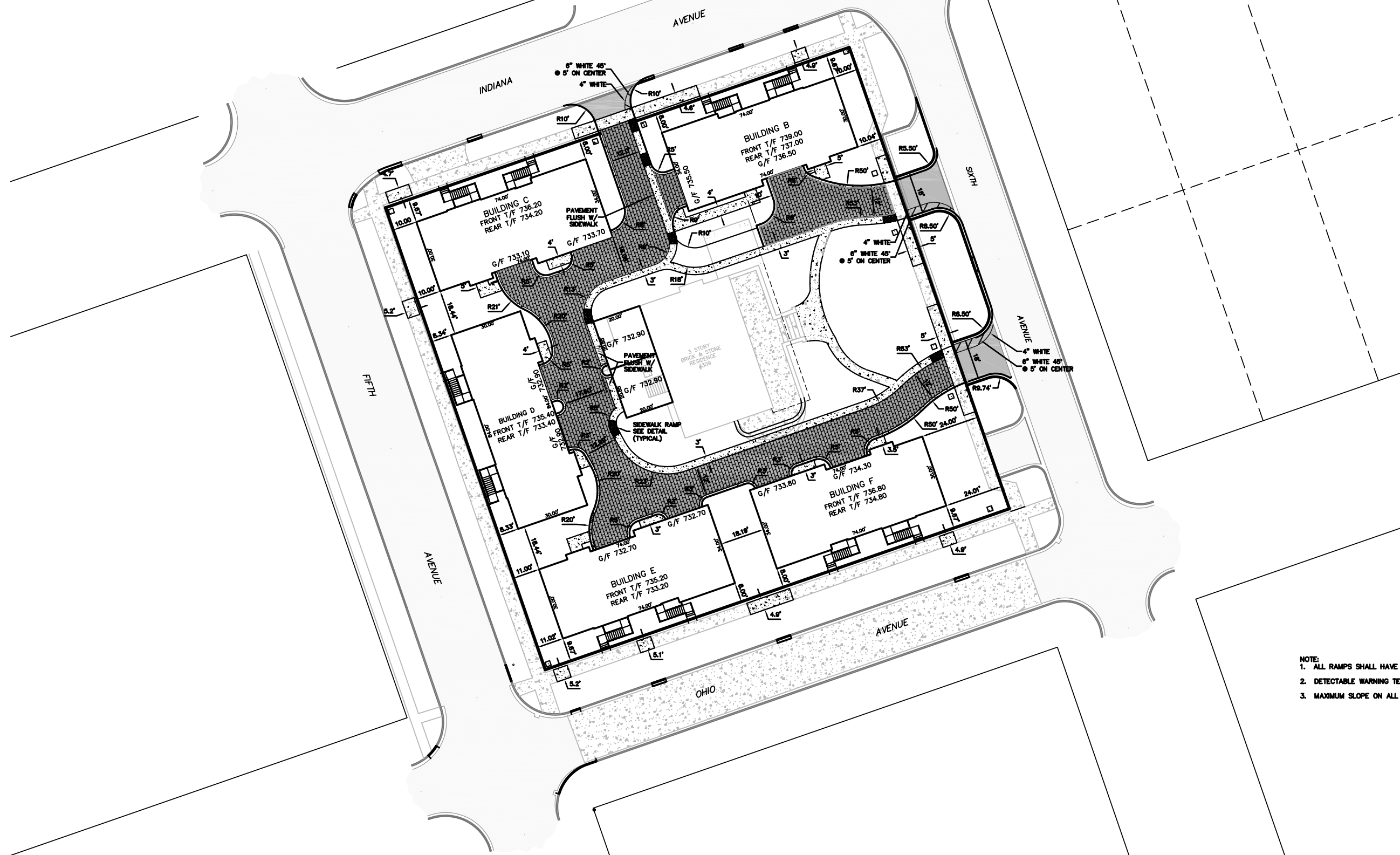
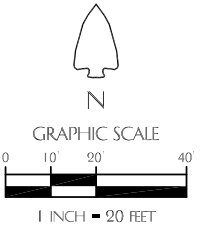
(PREVIOUSLY KNOWN AS "FOXWOOD SQUARE P.U.D.")

SHEET

3

OF 3

Approved Site Plan from 2007



- NOTE:
1. ALL RAMP SHALL HAVE DETECTABLE WARNING TEXTURE.
  2. DETECTABLE WARNING TEXTURE SHALL CONSIST OF RED TRUNCATED DOMES.
  3. MAXIMUM SLOPE ON ALL RAMP TO BE 1:12.

PREPARED FOR:  
**NORTH FACE BUILDING & DEVELOPMENT, INC.**  
 40W3926 EDGAR LEE MASTERS LANE  
 ST. CHARLES, IL 60175  
 (630) 443-9300

PREPARED BY:  

**WESTERN SURVEYING & ENGINEERING, P.C.**  
 391 STEVENS STREET, SUITE A  
 GENEVA, ILLINOIS 60134  
 (630) 845-0600 (630) 845-0601 FAX  
 ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002967  
 COPYRIGHT © 2007, WESTERN SURVEYING & ENGINEERING, P.C.

NUMBER		DATE		DESCRIPTION	

<b>FOXWOOD SQUARE – GEOMETRIC PLAN</b>			
<b>CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS</b>			
FILE NAME: 02_OVERALL\09	DESIGN BY: SMS	JOB. NO.: 393.002	XREF: NONE
DIRECTORY: CAD7/393002	DRAWN BY: SMS	DATE: 01/15/07	SCALE: 1"=20'
			<b>SHEET 9 OF 14</b>

**City of St. Charles, Illinois**

**Ordinance No. 2007-Z-4**

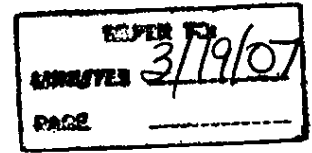
**An Ordinance Granting an Amendment to Special Use  
and PUD Preliminary Plan Approval (Foxwood Square  
PUD - 309 S 6th Avenue)**

**Adopted by the  
City Council  
of the  
City of St. Charles  
March 19, 2007**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, March 23, 2007**

*Nancy Garrison*  
City Clerk





**ORDINANCE NO.** 2007-Z-4

**PRESENTED AND PASSED BY THE  
CITY COUNCIL ON** March 19, 2007

**AN ORDINANCE GRANTING AN AMENDMENT TO SPECIAL USE  
AND PUD PRELIMINARY PLAN APPROVAL  
(Foxwood Square PUD – 309 S. 6<sup>th</sup> Avenue)**

**WHEREAS**, a petition to amend Special Use Ordinance 2002-Z-19, and approval of PUD Preliminary Plans for the real estate legally described in Exhibit "A" attached hereto (hereinafter referred to as "SUBJECT REALTY") has been filed by Northface Builders ("APPLICANT"); and,

**WHEREAS**, Notice of Public Hearing on said applications for the Special Use Amendment was published on or about October 17, 2006, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

**WHEREAS**, pursuant to said Notice, the Plan Commission of the City of St. Charles conducted a Public Hearing on or about November 7, 2006, all as required by the statutes of the State of Illinois and the ordinances of the City; and continued the Public hearing to November 21, 2006, and

**WHEREAS**, at said Public Hearing, the Applicant presented testimony in support of said application and all interested parties had an opportunity to be heard; and,

**WHEREAS**, the Subject Realty is located within a designated City Historic Preservation District, and the Historic Preservation Commission reviewed the application provided its recommendations (Resolution 11-2006) to the Plan Commission;



**WHEREAS**, the Plan Commission made the required Findings of Fact and recommended denial of the petitions on February 6, 2007 as per Plan Commission Resolution 1-2007, attached herein as "Exhibit B"; and,

**WHEREAS**, the Planning and Development Committee recommended approval of the Special Use on February 12, 2007 based Findings of Fact for Special Use, attached herein as "Exhibit C" and Findings of Fact for PUD Amendment, attached herein as "Exhibit D"; and,

**WHEREAS**, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and the Planning and Development Committee and has considered the same; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:**

**SECTION 1.** The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

**SECTION 2.** That Ordinance 2002-Z-19 is hereby amended by deleting its provisions in their entirety, and by substituting the provisions hereof, governing the Special Use as a Planned Unit Development for the Subject Property. In connection with such approval, and based upon the application and the evidence presented at the public hearing, the City Council hereby finds that the Special Use Amendment and the PUD Preliminary Plan is in the public interest and adopts the Findings of Fact set forth in Exhibits "C" and "D" attached hereto and incorporated herein.

**SECTION 3.** That the Subject Realty may be developed only in accordance with all ordinances of the City as now in effect or hereafter amended (except as specifically varied herein), and in accordance with the following additional definitions, uses, procedures, and restrictions contained herein.

**A. PRELIMINARY PLAN APPROVAL**

That approval is hereby granted with respect to the Subject Realty subject to substantial compliance with the PUD Preliminary Plans attached hereto and incorporated herein as “Exhibit E” including the following:

- PUD Preliminary Engineering Plan dated 2/12/07 and received 2/27/07
- Landscape Plan dated 10/30/06
- Architectural Elevations received 9/21/06

Changes to the Preliminary Plan may be approved by the City Council without amending this Ordinance, if such changes conform to the provisions hereof and do not constitute a Major Change as defined in Section 17.04.430 B. of the St. Charles Municipal Code, as determined by the City Council.

**B. ZONING REQUIREMENTS AND STANDARDS**

The provisions set forth in the St. Charles Zoning Ordinance for property in the RT-4 District in effect as of the date of this Ordinance shall apply to the Subject Realty, except as specifically provided in this Section.

That there are hereby granted certain exceptions and deviations from the provisions of Title 17 of the St. Charles Municipal Code, as amended, as set forth in “Exhibit F”.

**SECTION 4.** That the Subject Realty may be developed and used only in accordance with all ordinances of the City now in effect or hereafter amended or enacted, and in accordance with the following conditions, requirements and restrictions hereinafter provided all of which must be satisfied, prior to the issuance of building permit:

That a fee-in-lieu of an affordable unit is paid prior to issuance of the building permit per the policy recommendation in place at the time of PUD approval or per the Inclusionary Zoning Ordinance which may be in place prior to the issuance of a building permit, whichever is lower.

**SECTION 5.** That this Ordinance shall become effective from and after its passage and approval in accordance with law.

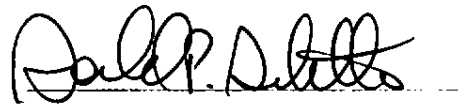
**PRESENTED** to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 19th day of March, 2007.

**PASSED** by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 19th day of March, 2007.

**APPROVED** by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 19th day of March, 2007.



*Nancy Garrison*  
CITY CLERK



MAYOR Donald P. DeWitte

**COUNCIL VOTE:**  
AYES: 9  
NAYS: 1  
ABSENT: —

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lot 1 of Riverside Community Church, a resubdivision of Block  
21 in Minard, Ferson and Hunt's addition to St. Charles, St.  
Charles Township, Kane County, Illinois.

"EXHIBIT B"

**RESOLUTION NO. 1-2007**

**RECOMMENDING DENIAL OF AMENDMENT TO SPECIAL USE  
AND PUD PRELIMINARY PLANS  
(FOXWOOD SQUARE)**

**Passed by Plan Commission February 6, 2007**

**WHEREAS**, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Special Use; and

**WHEREAS**, the Plan Commission held a public hearing and has reviewed the petition for an Amendment to Special Use; and

**WHEREAS**, the Plan Commission finds denial of said amendment to be in the best interest of the City of St. Charles;

**NOW, THEREFORE**, be it resolved by the St. Charles Plan Commission to recommend to City Council denial of the proposed amendment to the Special Use Ordinance 2002-Z-19 for Foxwood Square, 309 S. Sixth Avenue, North Face Builders because: 1) the proposed amendment does not fulfill the purpose of the PUD process identified in Section 17.04.400 A of the municipal code for a PUD; and 2) the proposed amendment does not meet the Finding of Fact 17.04.330 C-2 for Special Uses, because it would weaken the intended location and neighborhood by allowing for unacceptably high residential unit density per acre and an unacceptable building coverage ratio for the PUD, and allowing for construction of unacceptably tall building heights, as well as not protecting PUD or neighborhood zoning yard requirements. These deviations from the existing PUD in force and the current zoning of the effective neighborhood (east, south and west of the subject site) and the St. Charles comprehensive plan do not meet required findings of fact.

**Roll Call:**

**Ayes:** Lencioni, Murphy, Kreiner

**Nays:** Wallace, Bessner

**Absent:** Amatangelo, Hanlon, Spear, Kessler

**Motion Carried.**

**Resolution 1-2007**

**PASSED, this 6th day of February, 2007.**

---

**Chairman  
St. Charles Plan Commission**

---

**Secretary  
St. Charles Plan Commission**

**“EXHIBIT C”**

**FINDINGS OF FACT FOR SPECIAL USE AMENDMENT:**

1. **Public Convenience: The Special Use will serve the public convenience at the proposed location.**

The proposed amendment will provide a well designed residential development with sidewalks with all its parking requirements being met on site, as compared to the currently approved church which would have demanded additional off-site parking.

2. **Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

The proposed Preliminary Engineering plans show provision of adequate utilities, drainage and access. The site is located in an area served by a traditional grid system of streets.

3. **Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

The proposed residential use will reinforce and continue the residential character of the neighborhood. With the proposed well-designed buildings, it is not anticipated that property values of the neighborhood will be negatively impacted. Additionally, the restoration and rehabilitation of an existing historic structure will serve an overall public purpose of historic preservation.

4. **Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The subject property is surrounded by established uses, which are already developed.

5. **Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The existing special use currently allows the construction of a church at this location. The proposed amendment to the special use will provide for a residential development, more in keeping with its surroundings, which also contain the same use, and therefore will not be detrimental to public health, safety, comfort or general welfare.

6. **Design Review: That the proposed Special Use meets or exceeds the applicable Design Review Standards of Chapter 17.06 and other applicable provisions of this Title.**

The site plan meets the design review standards for landscaping, parking and utility and emergency access. A tree preservation plan has been provided. Building facades are articulated towards the streets. Parking and vehicular access is provided in the rear.



**“EXHIBIT D”**

**FINDINGS OF FACT FOR PUD AMENDMENT:**

The City Council of the City of St. Charles hereby makes the following findings of fact based on the application and the evidence presented at the public hearing that the amendment to the PUD is in the public interest, based on the following criteria:

- i. The proposed PUD advances the purposes of the Planned Unit Development procedure stated in Chapter 17.04 of the Zoning Code.**

The proposed PUD promotes the following purpose: “To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community”. With the preservation of the historic structure, the sense of place has been retained. The articulation of the new buildings to the street and the surrounding neighborhood speaks to integration into the community.

- ii. The proposed PUD Preliminary Plans conform to the applicable Design Review Standards (Chapter 17.06).**

As indicated in Special Use Finding #6, the applicable design review standards are met.

- iii. The proposed PUD conforms with the standards applicable to Special Uses (Section 17.04.330).**

PUD conforms to the Findings of Fact for Special Use Amendment as indicated in Section IV above.

- iv. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.**

The proposed PUD preserves a historic structure, and provides two-family dwelling units, adding to the diversity of the housing types in the neighborhood, which currently provides multi-family and single-family housing.

- v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.**

While the density exceeds the limits recommended in the Comprehensive Plan, the PUD follows the intent of “creating higher density residential areas close to downtown”, as mentioned in the Planning Component 2 of the Comprehensive Plan.

- vi. The proposed PUD conforms to all existing Federal, State and local legislation and regulation.**

The PUD will conform to all applicable federal, state and local regulations.

**“EXHIBIT E”**

PUD Preliminary Plans including the following:

- PUD Preliminary Engineering Plan dated 2/12/07 and received 2/27/07
- Landscape Plan dated 10/30/06
- Architectural Elevations received 9/21/06

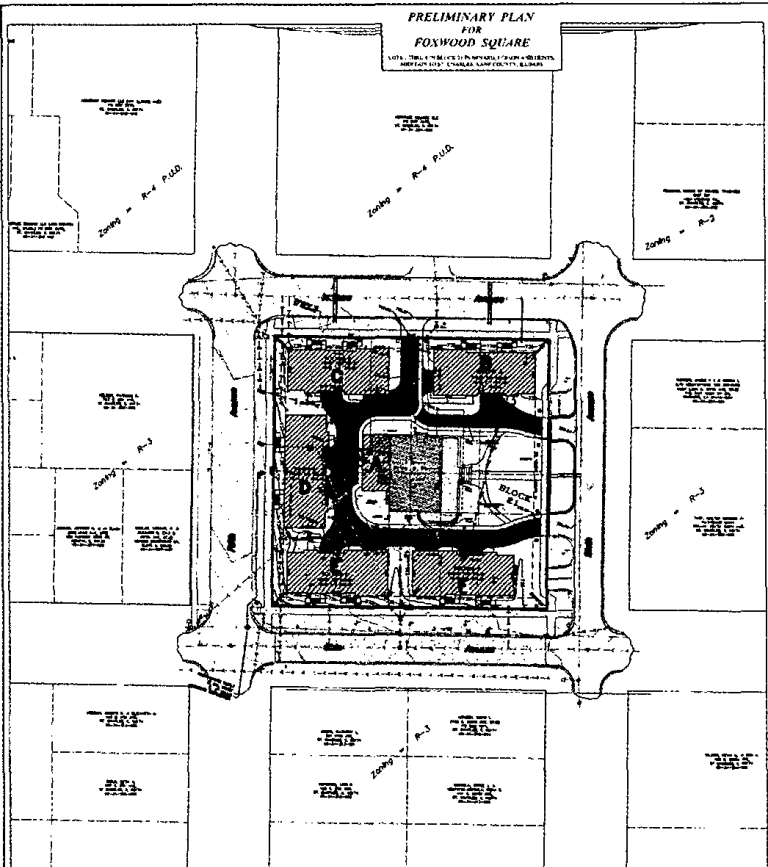
**“EXHIBIT F”**

**DEVIATIONS FROM THE ZONING REQUIREMENTS**

<b>Provisions per Table 17.12.2</b>	<b>Required per RT-4 Trad Single/ 2-family Resi. Dist</b>	<b>Deviation granted for:</b>
Minimum Lot Area per unit	Two-Family: 3,750 sq. ft./unit.	3340 sq. ft./unit
Minimum Front Yard (Along 6 <sup>th</sup> Avenue)	20 ft.	10 ft.
Minimum Exterior side yard (Along Ohio and Illinois Avenues)	20 ft.	8 ft.
Minimum Rear yard (Along 5 <sup>th</sup> Avenue)	30 ft.	8 ft.
Max. Building Height	32 ft or 2 stories, whichever is less	37.73 ft
Maximum Building Coverage	25% - For bldgs over 1 ½ stories	38%
Section 17.22.10 A-1 No. of buildings on a lot	One	Six

**PRELIMINARY PLAN  
FOR  
FOXWOOD SQUARE**

LOTS, TRACTS, BLOCKS, PLANNING ZONING DISTRICTS,  
MUNICIPALITY (LOCAL GOVERNMENT) BOUNDARIES



LEGEND MAP  
SCALE: 1" = 100'

**SITE DATA TABLE**

TOTAL SITE AREA	494,100 SF
EXISTING ZONING	R-2 P.U.D.
PROPOSED ZONING	R-2 P.U.D.
LANDS ACROSS	1,004.00 ACRES
PARKING DATA	
TOTAL NO. OF STAFF PARKING: 20 SPACES	
PROPORTION OF STAFF PARKING: 20 SPACES	



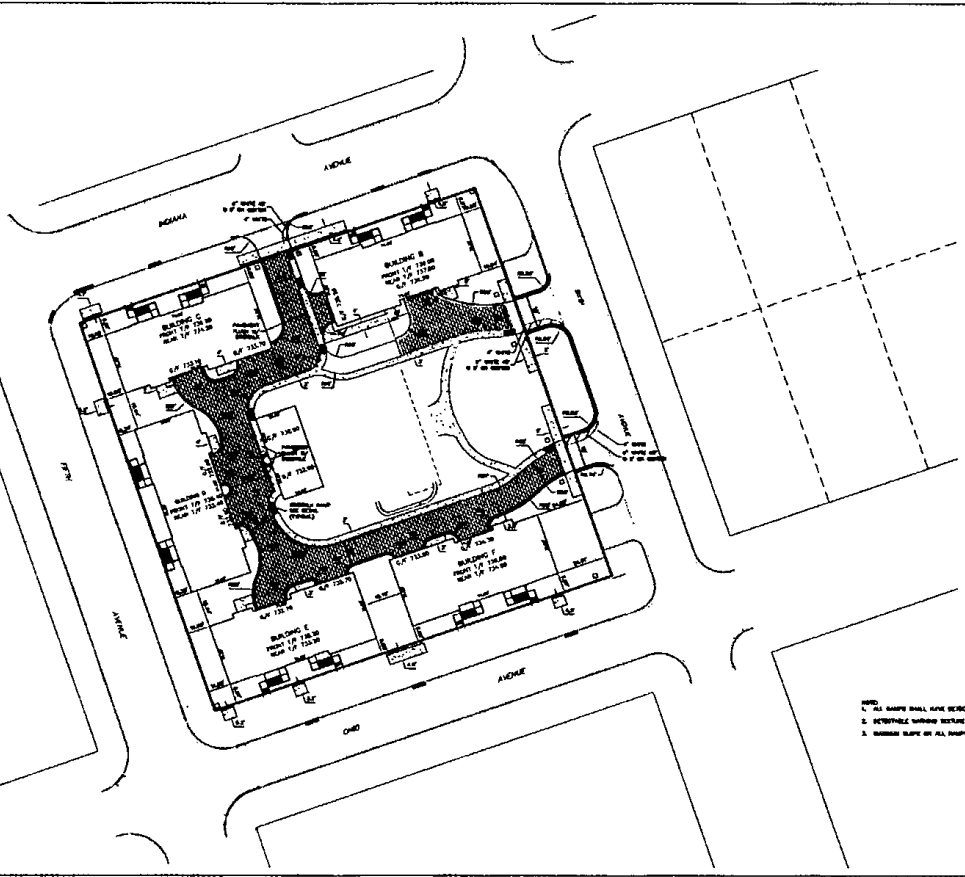
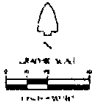
SCALE: 1" = 20'

THESE PLANS, DATA AND TESTING DATA  
ARE NOT TO BE USED FOR ANY OTHER  
PROJECT WITHOUT THE WRITTEN  
CONSENT OF THE ENGINEER. THE  
ENGINEER'S LIABILITY IS LIMITED TO  
THE DESIGN AND CONSTRUCTION OF  
THE PROJECT ONLY.

DESIGNED BY  
FRANK AND JOY  
1415 17TH AVENUE  
DENVER, COLORADO 80202  
PHONE: 303.733.1111  
FAX: 303.733.1112

OWNER  
HOMER PLACE DEVELOPMENT, INC.  
1000 17TH AVENUE  
DENVER, COLORADO 80202  
PHONE: 303.733.1111

ENGINEER  
WESTERN STEELWORKS ENGINEERING, P.C.  
1000 17TH AVENUE  
DENVER, COLORADO 80202  
PHONE: 303.733.1111



- NOTES:
1. ALL SHOPS SHALL HAVE VISIBLE HANDING SIGNS.
  2. VISIBLE HANDING SIGNS SHALL CONSIST OF RED TRANSPARENT SIGNS.
  3. HANDING SIGNS ON ALL SHOPS TO BE 6' X 6'.

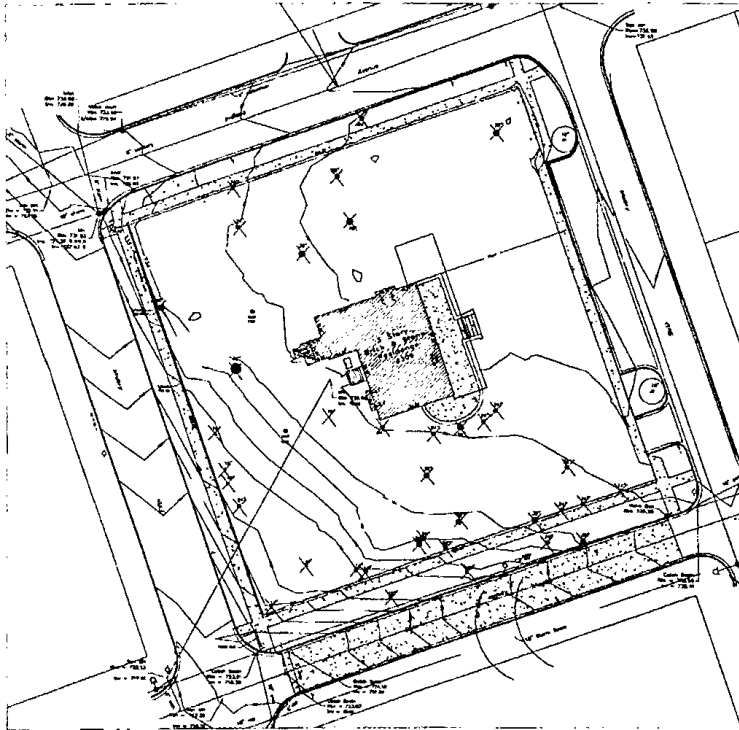
PREPARED FOR:  
 NEW YORK UNIVERSITY  
 100 UNIVERSITY ST.  
 NEW YORK, N.Y. 10003

DESIGNED BY:  
 W. H. HARRIS & ASSOCIATES, INC.  
 100 UNIVERSITY ST.  
 NEW YORK, N.Y. 10003

NO.	DATE	DESCRIPTION	BY	CHECKED
1	10/1/58	PRELIMINARY PLAN	W.H.H.	
2	10/15/58	FINAL PLAN	W.H.H.	

FOXWOOD SQUARE - GEOMETRIC PLAN  
 CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS  
 SHEET 9 OF 14





**TREE REMOVALS**

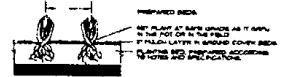


DENOTES TREES TO BE REMOVED

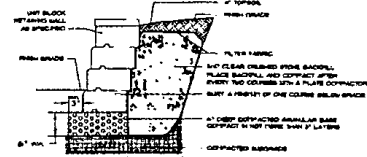
DENOTES TREES TO BE PROTECTED AND SAVED

**LANDSCAPE DETAILS**

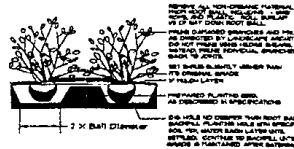
- NOTES:
1. CUT OR SPILT BLOCKS SET AT CORNERS TO PROVIDE
  2. SET BLOCK CORNER AS SHOWN ON MANUFACTURER'S STANDARD DETAILS AND CORNER DETAIL.
  3. SET BLOCK BY PLUMB AND LEVEL. SET BLOCK AS INDICATED BY DIMENSIONS TO END WALL.
  4. CAP SET TO MATCH STYLE AND COLOR OF WALL. CORNER WITH CAP TO MATCH WITH FINISH SURFACE. REINFORCED CONCRETE ABOUT 4" CAP SETS TO FIT TIGHTLY AGAINST FINISH SURFACE OF WALL. BACK AND FRONT



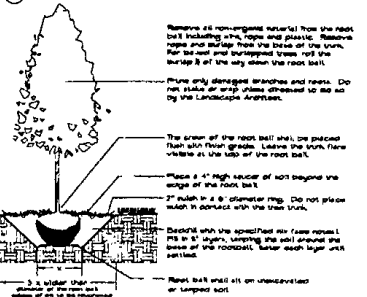
GROUND COVERS



BLOCK RETAINING WALL



SHRUB PLANTING



TREE PLANTING

**Foxwood Square**

Indiana and Fifth Avenue, St. Charles, IL

Date: October 30, 1998  
Scale: 1" = 10'

**Tree Removal and Landscape Details**

North Face Builders, Inc.  
Developer/Owner  
4825 E. River Road  
St. Charles, IL 62278  
618-433-3344

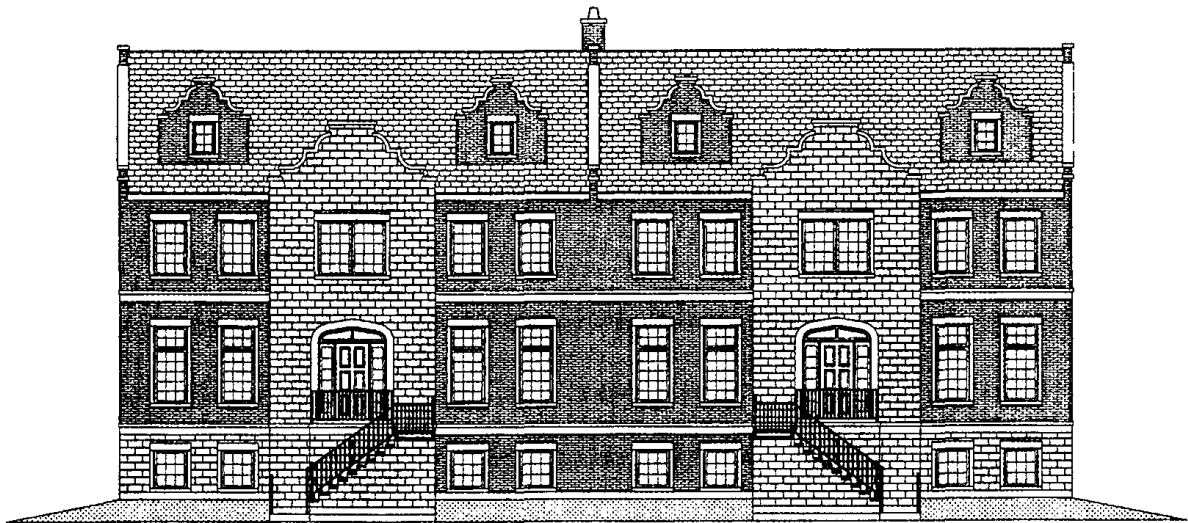
TransLand Ltd.  
Flowers  
1111 S. 1st Street  
St. Charles, IL 62278  
618-383-3344

Western Surveying & Engineering, P.C.  
1000 S. 1st Street, Suite A  
St. Charles, IL 62278  
618-433-3344

Suehn Conroy  
Landscape Architect  
7 Home St.  
St. Charles, IL 62278  
618-433-3344

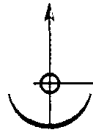






**FRONT ELEVATION**

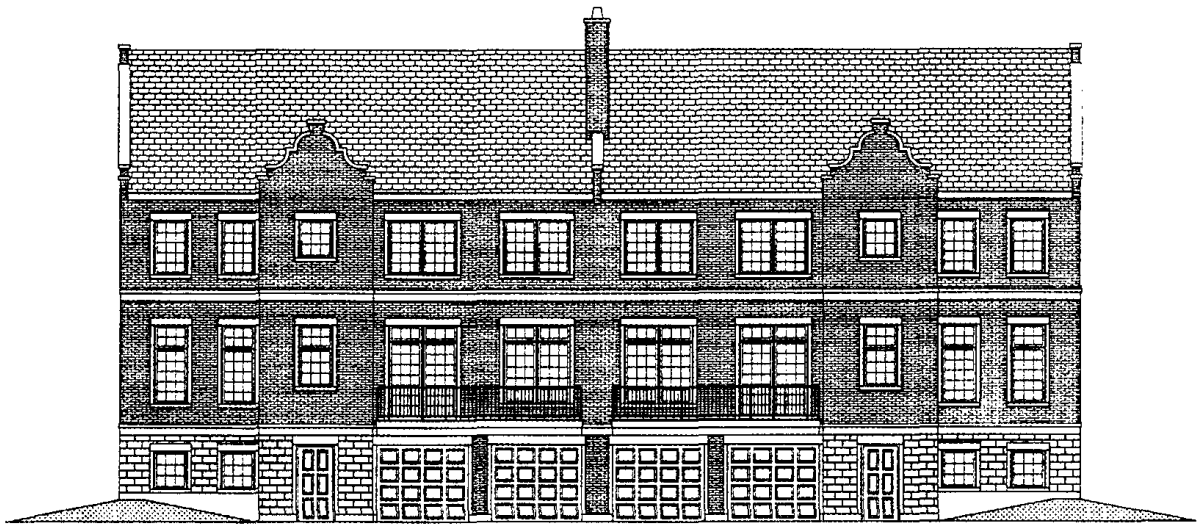
SCALE: 1/8" = 1'-0"



**NORTH FACE, INC.**  
BUILDING AND DEVELOPMENT

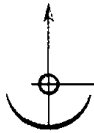
D

**arsa** associates  
ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE, SUITE 209  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-698-4438 FAX: 847-698-9669



REAR ELEVATION

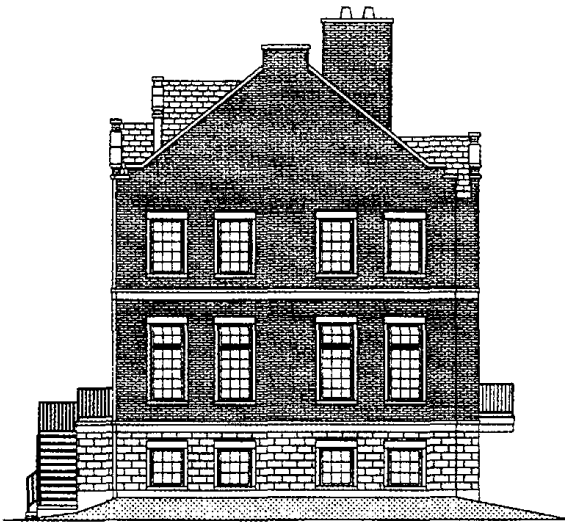
SCALE: 1/8" = 1'-0"



NORTH FACE, INC.  
BUILDING AND DEVELOPMENT

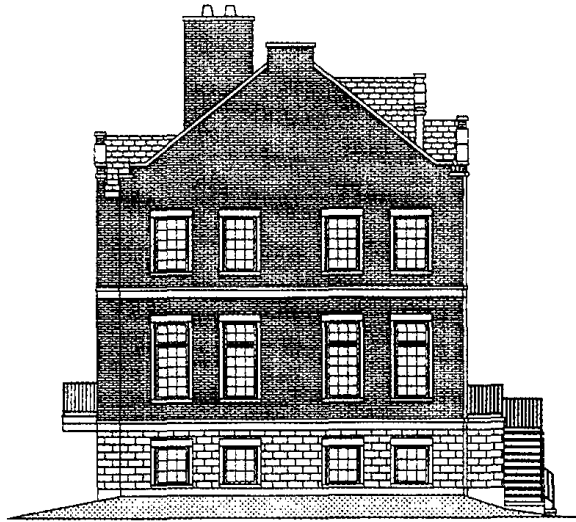


**arsa** associates  
ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE SUITE 203  
PARK RIDGE ILLINOIS 60068  
TEL. 847-698-4438 FAX 847-698-9689



**SIDE ELEVATION**

SCALE: 1/8" = 1'-0"



**SIDE ELEVATION**

SCALE: 1/8" = 1'-0"



**NORTH FACE, INC.**

BUILDING AND DEVELOPMENT



**arsa**

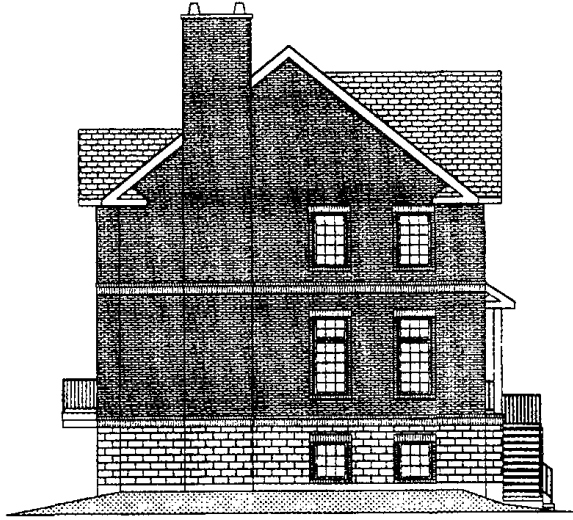
associates

ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE, SUITE 203  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-596-4438 FAX: 847-698-9889



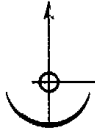
SIDE ELEVATION

SCALE: 1/8" = 1'-0"



SIDE ELEVATION

SCALE: 1/8" = 1'-0"



NORTH FACE, INC.

BUILDING AND DEVELOPMENT

F, B

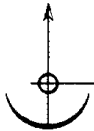
**arsa** associates

ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE SUITE 203  
PARK RIDGE, ILLINOIS 60069  
TEL. 847-598-4438 FAX 847-698-9889



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



NORTH FACE, INC.  
BUILDINGS AND DEVELOPMENT

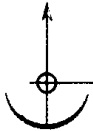
F, B

**arsa** associates  
ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE SUITE 203  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-690-4430 FAX: 847-690-8889



REAR ELEVATION

SCALE: 1/8" = 1'-0"



NORTH FACE, INC.  
BUILDING AND DEVELOPMENT

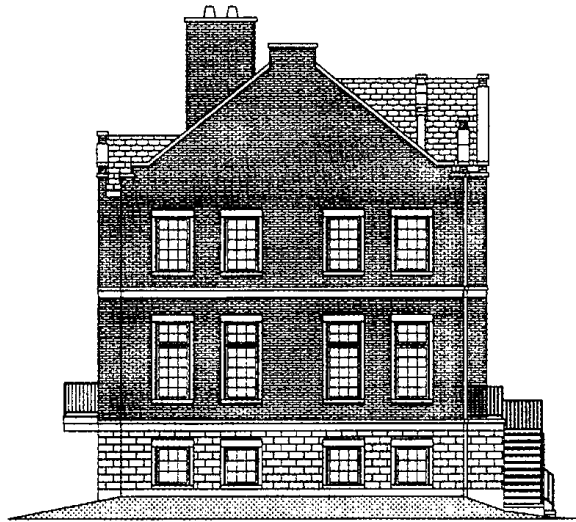
E, C

**arsa** associates  
ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE, SUITE 203  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-636-4438 FAX: 847-596-9689



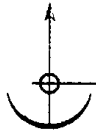
SIDE ELEVATION

SCALE: 1/8" = 1'-0"



SIDE ELEVATION

SCALE: 1/8" = 1'-0"



NORTH FACE, INC.

BUILDINGS AND DEVELOPMENT

E.C

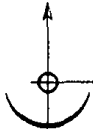
**arsa** associates

ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE, SUITE 200  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-698-4438 FAX: 847-698-8889



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



NORTH FACE, INC.  
BUILDING AND DEVELOPMENT

E, C

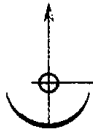
**arsa** associates  
ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PATTERSON AVENUE SUITE 200  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-696-4438 FAX: 847-628-9889





REAR ELEVATION

SCALE: 1/8" = 1'-0"



NORTH FACE, INC.  
BUILDING AND DEVELOPMENT

F, B

**arsa** associates  
ALAN R. SCHNEIDER ARCHITECTS P.C.  
1411 WEST PETERSON AVENUE, SUITE 203  
PARK RIDGE, ILLINOIS 60068  
TEL: 847-638-4438 FAX: 847-636-3689





State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

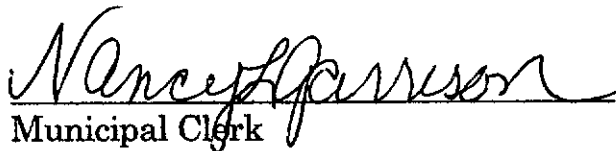
I further certify that on March 19, 2007, the Corporate Authorities of such municipality passed and approved Ordinance No. 2007-Z-4, entitled

"An Ordinance Granting an Amendment to Special Use  
and PUD Preliminary Plan Approval (Foxwood Square  
PUD – 309 S 6th Avenue),"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2007-Z-4, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on March 23, 2007, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 19 day of March 2007.

  
Municipal Clerk

